THE Boston-Gazette, AND COUNTRY JOURNAL.

No 825

Containing the freſheſt Advices, Foreign and Domeſtic.

MONDAY, January 28, 1771.

LETTER of JUNIUS.

To the Right Hon. LORD M———. ◊

MY LORD, *vid. pa. 137.*

THE appearance of this letter will attract the curioſity of the Public, and command even your Lordſhip's attention. I am conſiderably in your debt, and ſhall endeavour, once for all, to balance the account. Accept of this addreſs, my Lord, as a prologue to more important ſcenes, in which you will probably be called upon to act or ſuffer.

You will not queſtion my veracity, when I aſſure you that it has not been owing to any particular reſpect for your perſon that I have abſtained from you ſo long. Beſides the diſtreſs and danger with which the Preſs is threatened, when your Lordſhip is Party, and the Party is to be Judge, I confeſs I have been deterred by the difficulty of the taſk. Our language has no term of reproach, the mind has no idea of deteſtation, which has not already been happily applied to you, and exhauſted.—Ample juſtice has been done by abler pens than mine, to the ſeparate merits of your life and character. Let it be my humble office to collect the ſcattered ſweets, till their united virtue tortures the ſenſe.

Permit me to begin with paying a juſt tribute to Scotch ſincerity, wherever I find it. I own I am not apt to confide in the profeſſions of Gentlemen of that country, and when they ſmile, I feel an involuntary emotion to guard myſelf againſt miſchief. With this general opinion of an ancient Nation, I always thought it much to your Lordſhip's honour, that, in your earlier days, you were but little infected with the prudence of your country. You had ſome original attachments, which you took every proper opportunity to acknowledge, The liberal ſpirit of youth prevailed over your native diſcretion. Your zeal in the cauſe of an unhappy Prince[1] was expreſſed with the ſincerity of wine, and ſome of the ſolemnities of religion.

This, I conceive, is the moſt amiable point of view, in which your character has appeared. Like an honeſt man, you took that part in Politics, which might have been expected from your birth, education, country and connexions. There was ſomething generous in your attachment to the baniſhed Houſe of Stuart. We lament the miſtakes of a good man, and do not begin to deteſt him until he affects to renounce his principles. Why did you not adhere to that loyalty you once profeſſed? Why did you not follow the example of your worthy brother? With him you might have ſhared in the honour of the Pretender's confidence—with him you might have preſerved the integrity of your character, and England, I think, might have ſpared you without regret.—Your friends will ſay, perhaps, that although you deſerted the fortune of your Liege Lord,[2] you have adhered firmly to the principles which drove his father[3] from the throne;—that without openly ſupporting the perſon, you have done eſſential ſervice to the cauſe, & conſoled yourſelf for the loſs of a favourite family, by reviving and eſtabliſhing the maxims of their government. This is the way, in which a Scotchman's underſtanding corrects the error of his heart.—My Lord, I acknowledge the truth of the defence, and can trace it through all your conduct. I ſee, through your whole life, one uniform plan to enlarge the power of the crown, at the expence of the liberty of the ſubject. To this object, your thoughts, words and actions have been conſtantly directed. In contempt or ignorance of the common law of England, you have made it your ſtudy to introduce into the Court, where you preſide, maxims of juriſprudence unknown to Engliſhmen. The Roman code, the law of nations, and the opinion of foreign Civilians, are your perpetual theme;—but who ever heard you mention Magna Charta[4] or the Bill of Rights[5] with approbation or reſpect? By ſuch treacherous arts the noble ſimplicity and free ſpirit of our Saxon laws were firſt corrupted. The Norman conqueſt was not compleat, until Norman Lawyers had introduced their laws, and reduced ſlavery to a ſyſtem.—This one leading principle directs your interpretation of the laws, and accounts for your treatment of juries. It is not in political queſtions only (for there the Courtier might be forgiven) but let the cauſe be what it may, your underſtanding is equally on the rack, either to contract the power of the jury, or to miſlead their judgment. For the truth of this aſſertion, I appeal to the doctrine you delivered in Lord Groſvenor's cauſe. An action for criminal converſation being brought by a Peer* againſt a Prince of the Blood, you were daring enough to tell the jury that, in fixing the damages, they were to pay no regard to the quality or fortune of the parties;—that it was a trial between A. and B—that they were to conſider the offence in a moral light only, and give no greater damages to a Peer of the Realm, than to the meaneſt Mechanic. I ſhall not attempt to refute a doctrine, which, if it was meant for law, carries falſehood and abſurdity upon the face of it; but, if it was meant for a declaration of your political creeds is clear and conſiſtent. Under an arbitrary government, all ranks and diſtinctions are confounded. The honour of a Nobleman is no more conſidered than the reputation of a Peaſant, for, with different liveries, they are equally ſlaves.

Even in matters of private property, we ſee the ſame biaſs and inclination to depart from the deciſions of your predeceſſors, which you certainly ought to receive as evidence of the common law. Inſtead of thoſe certain, poſitive rules, by which the judgment of a Court of Law ſhould invariably be determined, you have fondly introduced your own unſettled notions of equity and juſtice. Deciſions given upon ſuch principles do not alarm the Public ſo much as they ought, becauſe the conſequence and tendency of each particular inſtance is not obſerved or regarded. In the mean time the practice gains ground; the Court of King's Bench becomes a Court of Equity, and the Judge inſtead of conſulting ſtrictly the law of the land, refers only to the wiſdom of the Court, and to the purity of his own conſcience. The name of Mr. Juſtice Yates will naturally revive in your mind ſome of thoſe emotions of fear and deteſtation, with which you always beheld him. That great Lawyer, that honeſt man, ſaw your whole conduct in the light that I do. After years of ineffectual reſiſtance to the pernicious principles introduced by your Lordſhip, and uniformly ſupported by your *humble Friends* upon the Bench, he determined to quit a Court, whoſe proceedings and deciſions he could neither aſſent to with honor, nor oppoſe with ſucceſs.

The injuſtice done to an individual is ſometimes of ſervice to the public. Facts are apt to alarm us more than the moſt dangerous principles. The ſufferings and firmneſs of a Printer[7] have rouſed the public attention. You knew and felt that your conduct would not bear a parliamentary inquiry, and you hoped to eſcape it by the meaneſt, the baſeſt ſacrifice of dignity and conſiſtency, that ever was made by a great Magiſtrate. Where was your firmneſs, where was that vindictive ſpirit, of which we have ſeen ſo many examples, when a man, ſo inconſiderable as Bingley[11] could force you to confeſs, in the face of this country, that, for two years together, you had illegally deprived an Engliſh Subject of his Liberty, and that he had triumphed over you at laſt? Yet I own, my Lord, that your's is not an uncommon character. Women, and men like women, are timid, vindictive, and irreſolute. Their paſſions counteract each other, and make the ſame creature at one monent hateful, at another, contemptible. I fancy, my Lord, ſome time will elapſe before you venture to commit another Engliſhman for refuſing to anſwer Interrogatories. (1)

The doctrine you have conſtantly delivered, in caſes of Libel, is another powerful evidence of a ſettled plan to contract the legal power of Juries, and to draw queſtions, inſeparable from fact, within the *arbitrium* of the Court. Here, my Lord, you have fortune of your ſide. When you invade the province of the Jury, in matter of Libel, you, in effect, attack the Liberty of the Preſs, and with a ſingle ſtroke, wound two of your greateſt enemies at once.—In ſome inſtances you have ſucceeded, becauſe Jurymen are too often ignorant of their own rights, and too apt to be awed by the authority of a Chief Juſtice. In other criminal proſecutions, the malice of the deſign is confeſſedly as much the ſubject of conſideration to a Jury as the certainty of the fact. If a different doctrine prevails in the caſe of Libels, why ſhould it not extend to *all* criminal caſes?—Why not to capital offences? I ſee no reaſon (and I dare ſay you will agree with me that there is no good one) why the life of the ſubject ſhould be better protected againſt you, than his liberty or property. Why ſhould you enjoy the full power of pillory, fine, and impriſonment, and not be indulged with hanging or tranſportation? With your Lordſhip's fertile genius, and merciful diſpoſition, I can conceive ſuch an exerciſe of the power you have, as could hardly be aggravated by that which you have not.

But, my Lord, ſince you have laboured (and not unſucceſsfully) to deſtroy the ſubſtance *of the trial*, why ſhould you ſuffer the form of the *verdict* to remain? Why force twelve honeſt men in, palpable violation of their oaths, to pronounce their fellow-ſubjects a *guilty* man, when, almoſt at the ſame moment, you forbid their inquiring into the only circumſtance, which in the eye of law and reaſon conſtitutes guilt—the malignity or innocence of his intentions?—But I underſtand your Lordſhip.—If you could ſucceed in making the trial by jury uſeleſs and ridiculous, you might then with greater ſafety introduce a bill into Parliament for enlarging the juriſdiction of the Court, and extending your favourite trial by interrogatories to every queſtion, in which the life or liberty of an Engliſhman is concerned.

Your charge to the jury, in the proſecution againſt Almond & Woodfall,[2] contradicts the higheſt legal authorities, as well as the plaineſt dictates of reaſon.[3] In Miller's cauſe, and ſtill more expreſſly in that of Baldwin, you have proceeded a ſtep farther, and groſsly contradicted yourſelf.—You may know perhaps, tho' I do not mean to inſult you by an appeal to your experience, that the language of truth is uniform and conſiſtent. To depart from it ſafely requires memory and diſcretion. In the two laſt trials your charge to the jury began, as uſual, with aſſuring them that they had nothing to do with the law,—that they were to find the bare fact, and not concern themſelves about the legal inferences drawn from it, or the degree of the defendant's guilt.—Thus far you were conſiſtent with your former practice.—But how will you account for the concluſion? You told the Jury that, "if, after all, they would take upon "themſelves to determine the law, *they might do* "*it*, but they muſt be very ſure that they deter- "mined according to law, for it touched their "conſciences, and they acted at their peril."—If I underſtand your firſt propoſition, you mean to affirm, that the Jury were not competent judges of the law in the criminal caſe of a libel;—that it did not fall within *their* juriſdiction; and that, with reſpect *to them*, the malice or innocence of the Defendant's intentions would be a queſtion *coram non judice*.—But the ſecond propoſition clears away your own difficulties, and reſtores the Jury to all their judicial capacities. You make the competence of the court to depend upon the legality of the deciſion. In the firſt inſtance you deny the power abſolutely. In the ſecond, you admit the power, provided it be legally exerciſed. Now, my Lord, without pretending to reconcile the diſtinctions of Weſtminſter-hall with the information of common-ſenſe, or the integrity of fair argument, I ſhall be underſtood by your Lordſhip when I aſſert that, if a Jury, or any other Court of Judicature (for Jurors are Judges) have no right to entertain a cauſe, or queſtion of law, it ſignifies nothing whether their deciſion be or be not according to law. Their deciſion is in itſelf a meer nullity;—the parties are not bound to ſubmit to it; and, if the jury run any riſque of puniſhment, it is not for pronouncing a corrupt or illegal verdict, but for the illegality of meddling with a point, on which they have no legal authority to decide.

I cannot quit this ſubject without reminding your Lordſhip of the name of Mr. Benſon. Without offering any legal objection, you ordered a ſpecial Juryman to be ſet aſide in a cauſe, where

(3) *vid. the Trial at page 233-245.*

◊ Lord Mansfield, chief Juſtice of the Kings Bench ‖ The Pretender —— Mr Murray who was a rebel in 1745.
1 King James 2. 2 vide Magna Charta pa. 790 Vol. 2. 3 vide Bill of Rights pa. 1053. Vol. 2 *L.d Grosvenor againſt the Duke of Cumberland. 4 vide the Trial pa. 243. (11) Mr Bingley who publiſhed the North Briton, and reflected on L.d Mansfield. (1) For Printing Fourth Letter.

the King was profecutor. The novelty of the fact required explanation. Will you condefcend to tell the world by what law or cuſtom you were authorifed to make a peremptory challenge of a Juryman? The parties indeed have this power, and perhaps your Lordſhip, having accuſtomed yourſelf to unite the characters of judge & party, may claim it in virtue of the new capacity you have aſſumed, and profit by your own wrong. The time within which you might have been puniſhed for this daring attempt to pack a jury, is, I fear, elapſed: but no length of time ſhall eraſe the record of it.

The miſchief you have done this country are not confined to your interpretation of the laws. You are a Miniſter, my Lord, and, as ſuch, have long been conſulted. Let us candidly examine what uſe you have made of your miniſterial influence. I will not deſcend to little matters, but come at once to thoſe important points, on which your reſolution was waited for, on which the expectation of your opinion kept a great part of the nation in ſuſpence.—A conſtitutional queſtion ariſes upon a declaration of the law of Parliament, by which the freedom of election, & the birthright of the ſubject were ſuppoſed to have been invaded. —The King's ſervants are accuſed of violating the conſtitution.—The nation is in a ferment.—The ableſt men of all parties engage in the queſtion, and exert their utmoſt abilities in the diſcuſſion of it.—What part has the honeſt Lord M—— acted? As an eminent Judge of the Law, his opinion would have been reſpected.—As a Peer, he had a right to demand an audience of his Sovereign, and inform him that his Miniſters were purſuing unconſtitutional meaſures.—Upon other occaſions, my Lord, you have no difficulty in finding your way into the cloſet. The pretended neutrality of belonging to no party will not ſave your reputation. In queſtions merely political, an honeſt man may ſtand neuter. But the laws and conſtitution are the general property of the ſubject;—not to defend is to relinquiſh;—and who is there ſo ſenſeleſs as to renounce his ſhare in a common benefit, unleſs he hopes to profit by a new diviſion of the ſpoil. As a Lord of Parliament you were repeatedly called upon to condemn or defend the new law declared by the houſe of Commons. You affected to have ſcruples, and every expedient was attempted to remove them.—The queſtion was propoſed and urged to you in a thouſand different ſhapes. Your prudence ſtill ſupplied you with evaſion;—your reſolution was invincible. For my own part, I am not anxious to penetrate this ſolemn ſecret. I care not to whoſe wiſdom it is intruſted, nor how ſoon you carry it with you to your grave. You have betrayed your opinion by the very care you have taken to conceal it. It is not from Lord M—— that we expect any reſerve in declaring his real ſentiments in favour of government, or in oppoſition to the people; nor is it difficult to account for the motions of a timid diſhoneſt heart, which neither has virtue enough to acknowledge truth, nor courage to contradict it.—— Yet you continue to ſupport an Adminiſtration which you know is univerſally odious, and which, on ſome occaſions, you yourſelf ſpeak of with contempt. You would fain be thought to take no ſhare in government, while, in reality, you are the main ſpring of the machine.——Here too we trace the *little*, prudential policy of a Scotchman. —Inſtead of acting that open, generous part which becomes your rank and ſtation, you meanly ſkulk into the cloſet, and give your Sovereign ſuch advice as you have not ſpirit to avow or defend. You ſecretly ingroſs the power, while you decline the title of Miniſter: and though you dare not be Chancellor, you know how to ſecure the emoluments of the office.—Are the Seals to be for ever in commiſſion, that you may enjoy five thouſand pounds a year?—I beg pardon, my Lord;—your fears have interpoſed at laſt, and forced you to reſign.—The odium of continuing Speaker of the Houſe of Lords upon ſuch terms, was too formidable to be reſiſted. What a multitude of bad paſſions are forced to ſubmit to a conſtitutional infirmity: But though you have relinquiſhed the ſalary you ſtill aſſume the rights of a Miniſter.—Your conduct, it ſeems muſt be defended in Parliament.—For what other purpoſe is your wretched friend, that miſerable Serjeant, poſted to the Houſe of Commons? Is it in the abilities of Mr. Leigh to defend the great Lord M——d? Or is he only the Punch of the Puppet-ſhow to ſpeak as he is prompted by the CHIEF JUGGLER behind the Curtain?

In public affairs, my Lord, cunning, let it be ever ſo well wrought, will not conduct a man honourably through life. Like bad money, it may be current for a time, but it will ſoon be cried down. It cannot conſiſt with a liberal ſpirit, though it be ſometimes united with extraordinary qualifications. When I acknowledge your abilities, you may believe I am ſincere. I feel for human nature when I ſee a man, ſo gifted as you are, deſcend to ſuch vile practice.—Yet do not ſuffer your vanity to conſole you ſoon. Believe me, my good Lord, you are not admired in the ſame degree in which you are deteſted. It is only the partiality of your friends that balances the defects of your heart with the ſuperiority of your underſtanding. No learned man, even among your own tribe, thinks you qualified to preſide in a Court of Common Law. Yet it is confeſſed that, under *Juſtinian*, you might have made an incomparable *Prætor*.—It is remarkable enough, but I hope not ominous, that the Laws you underſtand beſt, and the Judges you affect to admire moſt, flouriſhed in the decline of a great Empire, and are ſuppoſed to have contributed to its fall.

Here, my Lord, it may be proper for us to paſſe together,—It is not for my own ſake that I wiſh you to conſider the delicacy of your ſituation. Beware how you indulge the firſt emotions of your reſentment. This paper is delivered to the world, and cannot be recalled. The perſecution of an innocent Printer cannot alter facts, nor refute arguments.—Do not furniſh me with further materials againſt yourſelf.—An honeſt man, like the true religion, appeals to the underſtanding, or modeſtly confides in the internal evidence of his conſcience. The impoſtor employs force inſtead of argument, impoſes ſilence where he cannot convince, and propagates his character by the ſword. *Nov. 15th*, 1770. & JUNIUS.

PHILADELPHIA, January 7.

Copy of a letter from Cadiz dated Nov. 6, 1770.

SIR,

"I take the liberty to inform you, as acting Conſul for his Majeſty here, and being largely employed as a Factor for many of his Majeſty's ſubjects concerned in the trade of the colony which you preſide over, that there is for the preſent the ſtrongeſt appearance of a rupture betwixt Great-Britain and Spain, which may be a means of many veſſels arriving from his Majeſty's Plantations in North-America, in the different ports of this kingdom, after a war may be declared, and conſequently be made prizes of; I have taken every precaution which occurred to me, towards preventing ſuch veſſels as may be on the way, from coming into this port, or others in Spain, ſhould a rupture actually happen; and I give you this notice, that you may make ſuch uſe of it as your prudence may ſuggeſt towards preventing other veſſels being diſpatched to theſe parts, until after accounts are received of theſe clouds being diſſipated, which I ſincerely wiſh they may be favourably & ſoon, ſo as to enable his Majeſty's ſubjects trading this way, to purſue and re-aſſume their trade with ſecurity and ſafety. I have the honor to be, Sir, your obedient, and moſt humble Servant,

To the Hon. JOHN PENN, *Eſqr* JAMES DUFF.

BOSTON, January 28.

On Thurſday the 24th Inſtant, died at his Seat in Milton, the Honorable ANDREW BELCHER, Eſq; in the 65th Year of his Age: He was eldeſt Son of the late Governor BELCHER, and for ſome Years a Member of his Majeſty's Council for this Province. We hear his Funeral is to be at Boſton this Day, to proceed from the Houſe of his Brother-in Law, BYFIELD LYDE, Eſq; at half paſt Three o'Clock.

Friday laſt Captain Hill arrived at Marblehead from Liſbon, which he left the 21ſt of December; and a Gentleman there in a Letter of the 19th, writes, "That Mr. Potter, (the Meſſenger from the Engliſh Court) left Madrid the 7th of November, and that they impatiently waited an Anſwer from Britain to their Overtures, which was expected by the 4th of December."—There was no Account of a War when the above Veſſel left Liſbon.

Friday laſt died here Mrs. Elizabeth Davies, Conſort of Capt. Davies, in the London Trade—Her Remains are to be interr'd next Wedneſday.

DIED, Mrs. Tyler, Widow of Deacon Thomas Tyler.

TO BE SOLD

By Benjamin Church,

On THURSDAY EVENING next,

At his uſual Place of Sale;

BROAD Cloths—Serges,—Plains,—Callimancoes,——Baizes wide and narrow—Checks—Iriſh Hollands—Cambricks—Mens, Womens & Childrens Hoſe—Ravens Duck—Oznabrigs—Handkerchiefs,&c. Houſe Furniture, as Tables, Chairs, Feather Beds, &c. Wearing Apparel, Watches, &c.

To be Sold cheap for Caſh,

A Quantity of choice RUM, ſix Months old, prepared for the Guinea Market (moſtly in Iron-bound Hogſheads) Enquire of Thomas Ruſſell, at the Warehouſe No. 13, South Side of the Town-Dock.

To be LETT, at the South End of *BOSTON*,

THE Manſion-Houſe of the late *Charles Harriſon*, Eſq; with a Shop adjoining; a large new Stable, a good Garden, and a Lot of Land. Any Perſon inclining to hire, is deſired to apply to Mr. *James Richardſon*, Diſtiller, living near the Hay-Market.

Window Glaſs, and large Quart Bottles, to be ſold by JOHN GILLISPIE, at his Houſe in Common-Street, or by THOMAS KNIGHT, at the Three Kings in Cornhill.

A Pair of faſhionable ſecond-hand SILVER CHAFINDISHES. Alſo one Pair of Candleſticks, to be ſold by WILLIAM HOMES, Jun. Goldſmith, near the Draw-Bridge, Ann Street, Boſton, if apply'd for ſoon: Where may be had, Stone Shoe and Knee Buckles, with all ſorts of Goldſmith and Jewellery Work cheap for Caſh.

For the Benefit of the Inſurers.

ON WEDNESDAY next,

At TEN o'Clock in the Morning,
Will be Sold by PUBLIC VENDUE,
At the Auction Room in Queen Street,

17 Pieces *damaged* napped Batt Beavers. At the ſame Time and Place will alſo be ſold, A great Variety of Engliſh GOODS not damaged, and one Trunk of Mens Wearing Apparel.

J. RUSSELL, Auctioneer.

On TUESDAY 5th of *February* next,

At ELEVEN o'Clock, will be ſold by public Vendue, at the Bunch of Grapes in King-Street;

A few Hogſheads good Shop Sugars.

J. RUSSELL, Auctioneer.

On FRIDAY 15th of *February* next,

At TEN in the Morning, will be ſold by Public Vendue, at the Auction-Room in Queen-Street;

A great Variety of BOOKS, chiefly printed here; Among which are,

50 Dozen of Tate and Brady's Pſalms, with Tunes, and without.
5 Dozen of Watts's Hymns and Pſalms.
90 Dozen Pſalters and Primers.
70 Dozen of ſmall Hiſtories.
72 Dozen Proof Catechiſms.
20 Groce of Verſes,—and a Number of well-bound Books, in Hiſtory and Divinity, Sermons, &c.

J. RUSSELL, Auctioneer.

IRISH LINEN WAREHOUSE,

KINGSTREET.

GEORGE BRINLEY, informs his Cuſtomers and others, That he has lately received directly from Ireland—A very general and elegant Aſſortment of Linens, conſiſting of ¼, ⅜ & and yard wide, from 12s. to £.3 10s. per Yard, purchaſed by Mr. FORREST in Ireland with the ready Money; which he continues to ſell at the uſual low Rates.

PUBLIC notice is hereby given to the proprietors of a townſhip granted to Joſiah Richardſon, and others, which townſhip is now laid out on Androſcogin-River, in the county of Cumberland, that ſaid proprietors at a legal meeting on the 28th day of March, A. D. 1769, granted a tax of *forty ſhillings* lawful money on each ſingle right, to defrey the charges of looking up and laying out the ſaid townſhip, &c. Alſo the ſaid proprietors at a legal meeting on the firſt day of May, 1770, granted a tax of *thirty ſhillings* lawful money more, on each right, for the like purpoſes:—This is therefore to require the aboveſaid proprietors, who have not paid the aboveſaid taxes, to pay the ſame to Captain Cornelius Wood of Sudbury, treaſurer of the ſaid proprietors, or their rights will be ſold at public vendue, to the higheſt bidder, at the houſe of Mr. Iſaac Jones, innholder in Weſton, on the laſt Tueſday of March next. The Sale to begin at Nine of the clock in the morning, and be continued as occaſion may ſerve.

Dated at Sudbury, January 8th, 1771. Cornelius Wood, Elijah Bent, Joſiah Stone. } Proprietor's Committee.

TUESDAY Evening next,

Will be ſold by PUBLIC VENDUE, at the Auction-Room, Foot of Royal-Exchange Lane, over Mr. THOMAS WALLEY's Store.

A Variety of Engliſh and other Goods, as uſual. ALSO,

One Hadley's Quadrant, two Time Pieces, Silver Watches, Mohogany Chairs, Tables, Stands, Tea Boards, Mens Wearing Apparel, new and ſecond-handed Blankets, Feather Beds Bedſteads, &c. W. Hunter, Auctioneer.

TO-MORROW EVENING.

Will be Sold by Public Vendue, at the Auction-Room North Side of the Market.

A great Variety of GOODS,

Among which are,

BROAD Cloths, fine & coarſe Forreſt Cloths, Ratteens, Plains, Fearnothings, mill'd and common Baizes, cotton Velvets, red and blue Strouds, worſted and mill'd Hoſe, mill'd Caps, Poplin, Callamancoes and Ruſſels, a fine Aſſortment of figured Lawns, Scotch and Iriſh Linens, Tandems, Manchester Check, a great Variety of Hand's Bedtic, Bed-Bunts, Writing Paper, Oznabrigs, &c.

To-Morrow Evening. A. BOWMAN, Auctioneer.

N. B. At ſaid Auction-Room may be had, a moſt excellent 8-Day Clock, of an exceeding handſome Conſtruction, having a Table in her Front, diſplaying the Moon and Tide in all their periodical Revolutions.

CUSTOM-HOUSE, *BOSTON*.

ENTERED IN.

Thatcher from Halifax; Snow from Virginia; Fletcher from Fyal; Wormſtead from St. Lucia; Rapell from Bilbo and Falmouth; Baſs, Jamaica & Cape Nichola.

CLEARED OUT.

Walker, Pierpoint, Chadwell and Cordis for Weſt-Indies; Lambert for Grenada; Acworth for London; and Dunn for Greenock.

OUTWARD BOUND.

Davis for Weſt-Indies; Harriſon for Glaſgow; Sheppard for South-Carolina; Blodgett and Volentine for Surranam; Doane for Newfoundland; Laha and Thatcher for Halifax.

Burials in the Town of BOSTON, ſince our laſt,
Eight Whites. One Black.
Baptiz'd in the ſeveral Churches, Four.

High Water at BOSTON *for this preſent Week.*

Monday, 10 min. after	9	Friday, 46 min. after	12
Tueſday, 8 min. after	10	Saturday, 33 min. af.	1
Wedneſday, 6 m. aft.	11	Lord's-Day, 28 m. af.	2
Thurſday, 0 min. af.	12	Full M. 30 Day 3 Aft.	

(Advertiſements omitted will be in our next.)

† In rejecting Jn.° Wilkes from being a Member, and ſeating in his room Ed.° Luttrel. (vid. pa. 535–538–550. Vol. 2.

v Mansfield & vid. page 445

To the PRINTERS.

IN my laſt I recollected the teſtimonies of the witneſſes on both ſides, who related in court the behavior of the ſoldiers and the people, on the fatal evening of the fifth of March laſt.

The reader, if he pleaſes, will judge; whether the people ſtruck the ſoldiers guns, or threw ſnow balls or any other thing, or offer'd them the leaſt violence, from their firſt turning out till they had march'd to the cuſtom-houſe, abuſed, threatned, beat and wounded the people, loaded their guns with powder and ball, levelled them, and waved them in an exaſperating manner, and gave out that they would fire; for, if *Andrew* is to be believed, he teſtified, that when one of the perſons talking with the officer, turn'd and ſaid, "they are going to fire", the people ſhouted, and ſaid "they dare not fire", and then they *began* to throw ſnow balls. If all theſe things were done by the ſoldiers, before the people offer'd them any injury, I would aſk, who made the firſt aſſault? If there was an unlawful aſſembly, who were they? Were the people the unlawful aſſembly, who were collected together, ſome from an apprehenſion of fire in the town, and with the neceſſary preparations, engines and buckets, to have extinguiſh'd it, if there had been one; others from the more alarming apprehenſion, that the ſoldiers had iſſued from the barracks, as indeed they had done, and that agreable to their threatnings many days before, and their correſpondent behavior on that very evening, they were maſſacreing the inhabitants? Were they, who bore all that inſolent and irritating language from the ſoldiers, as they march'd from the main guard, and before they form'd at the cuſtom-houſe; who were puſh'd at, ſtruck with bayonets and wounded, to be charg'd with being the aggreſſors, becauſe they finally, when they ſaw them bent upon firing againſt repeated warnings, took ſuch methods as their underſtanding dictated to them, in the midſt of ſuch a ſcene, to prevent their "committing ſo raſh an act"? An act, which it was the duty as well as the *profeſs'd* deſign of their officer to have prevented; and which, in the opinion of ſome, he might have prevented if he would: And yet we find a perſon of *high rank and figure* in this province, teſtifying in court in the caſe of Capt. *Preſton*, that ſuch was his opinion of the prudence of this ſame officer, that he ſhould have choſen *him* out to have commanded upon a like occaſion.

I believe, that in ordinary times, if a banditti of *men of violence* had been ſeen, with guns loaded and bayonets fix'd, trembling with rage, and ready to fire upon a multitude in the ſtreet, it would have been counted meritorious, in any man or number of men, at all events to have diſarm'd them; and if death had enſued in the attempt, perhaps it would not have been adjudg'd *excuſeable homicide* or *manſlaughter*. I am ſenſible it is ſaid by *ſome*, that it was the duty of the ſoldiers to maintain their poſt: It was ſworn by a *military* officer in court, that "the centinel at the cuſtom-houſe, was *ſtation'd* and *appointed* by the commanding officer, Lieut. Colonel *Dalrymple*; that they could not ſtir from their poſt, and it was at their peril if they did"; and Capt. *Preſton* in his ſtate of the caſe ſays, "He ſent a party to protect the centinel": But this is *military* language; to be uſed in camps and garriſon'd towns, not in free cities; in courts martial, and not in courts of common law: It is dangerous to adopt *military maxims*, however pleaſing they may be to ſome men, and to bring them into uſe in civil ſocieties: If the centinel had been in danger, as was pretended, the *law of the land*, to which the moſt diſtinguiſh'd officer in the King's army is ſubjected, would have protected that centinel: Or, if there had indeed been a dangerous mob, the *law* would have ſuppreſs'd it; and no ſoldier ſhould have dared to have interfered, *as a ſoldier*, without the *command* of a civil magiſtrate.

Capt. Preſton in his ſtate has ſaid, "The *mob* ſtill increas'd, and was more outrageous": And what did he ſay the *mob* did after they became *more outrageous*? Why, "they ſtruck their clubs or *bludgeons* one againſt another; and called out, come on you raſcals, bloody backs, lobſter ſcoundrels, fire if you dare, we know you dare not fire, and much more ſuch language": But ſurely it will not be ſaid, that all this would juſtify or excuſe their firing: This was after the ſoldiers had inſulted and wounded the people, and had loaded their guns and threatned to fire, as appears by the current of the evidence; and yet hitherto, by his own account, we find no violence nor even threat offer'd to the ſoldiers; nothing but hard names and daring them to fire. He adds, "while I was parleying and endeavoring all in my power to perſwade them to retire peaceably—they advanced to the points of the bayonets, ſtruck ſome of them, and even the muzzels of the peices"; which correſponds with the teſtimonies of ſome of the witneſſes in court before mentioned, who ſaid that *while they were loading*, the people ſtruck their guns; very probably, however indiſcrete it might be, to prevent their firing. He further ſays "they *ſeem'd* to be endeavoring to cloſe in with the ſoldiers". This was not mention'd by any witneſs in court, nor does it ſeem to be likely: Indeed, I cannot ſee how Capt. Preſton could imagine, that they ſeem'd to be endeavoring to cloſe in with the ſoldiers: He ſays, "he was talking with ſome well behaved perſons, who had aſked him whether he intended to order the men to fire: Some of the witneſſes mention'd the people's preſſing in, and more naturally accounted for it, viz. from a curioſity, "to know what was ſaid". Capt. *Preſton* adds, "while I was thus ſpeaking (with the well behaved perſons, and in all likelihood at the very inſtant, when *Andrew* teſtified it was ſaid, *they were going to fire*) one of the ſoldiers having received a ſevere blow with a ſtick, ſtepped a little on one ſide and *inſtantly* fired". Upon this, ſays Capt. *Preſton*, "a general attack was made upon the men": So that there was no general attack, according to *his* account, till after the firing; which agrees with Mr. *Bridgham*, and other unexceptionable witneſſes in court, who declared, that "there was no danger to the ſoldiers from any thing they ſaw"—"no moleſtation, nor any thing which they thought could produce firing": Indeed, one of the witneſſes for the priſoners, Mr. *Nath. Ruſſell* teſtified, that "the ſoldiers were in a *trembling* ſituation, and ſeemed to apprehend themſelves in immediate danger of death"; but being interrogated, whether their *trembling* might not be the effect of *rage*, he replied, perhaps it might proceed both from fear and rage. If there had been ſuch a general attack as Capt. *Preſton* mentions, after one of the ſoldiers had actually fired, and the others appear'd to be juſt ready to fire (for they all diſcharg'd their guns in a few minutes afterwards) it would have been ſuch an appearance as might naturally have been expected; and therefore Capt. *Preſton*, who, as he ſays, "followed" the party for that very purpoſe, ſhould have taken more effectual care than he did to have "prevented ſo raſh an act"—There was time enough for him to have at leaſt prevented the *continuance* of the firing after the firſt gun was diſcharg'd, and conſequently to have ſaved the lives of *ſome* of his Majeſty's ſubjects; for Mr. *Bridgham* teſtified, that there was half a minute between the firſt and the ſecond gun.

It ſeems by the evidence, that *Montgomery*, one of the priſoners, was the firſt who fired: It is probable that he was the man, whom Captain *Preſton* mentions, as having received a blow: The witneſſes varied in their teſtimonies concerning this fact: He was ſtruck with a ſtick, either flung from behind or otherwiſe: Some ſay he was knock'd down; others, that he did not fall: Capt. *Preſton* himſelf ſaid, "he ſtepped a little on one ſide": Mr. *Palmes*, who gave, I think, the cleareſt account of this matter, declared, that he ſaw *Montgomery* ſtruck; he ſtepped or ſallied back, he could not ſay which—he did not fall; he was ſure he was not knock'd down before he fired; he could not be, & he not ſee it, for his hand was laid familiarly on Capt. Preſton's ſhoulder, and the ſoldier ſtood cloſe to the Captain; he added, that he himſelf knock'd *Montgomery* down, after they had *all fired*; and the reaſon was, becauſe that even then, he was going to prick him with his bayonet. It ſeems, the rage of paſſion in the breaſt of this ſoldier, like that in *Killroi*'s, had not abated, after diſcharging his piece upon the people: His thirſt was not even then aſſwaged: Upon his attempt, *after all the firing*, and while numbers were dead on the ſpot before him, to ſtab Mr. *Palmes*, he ſtruck with his ſtick, and knock'd his gun out of his hand; and then he ſtruck the firſt man he could, which happened to be *Preſton*: A circumſtance related by *Preſton* himſelf, with this difference; he ſays he received the blow, as he turned to the man who fired, and aſked him why he fired without orders; Mr. *Palmes* ſaid, it was after all the guns were fired: So that if Mr. *Palmes* was not miſtaken, Capt. *Preſton* did not put that neceſſary queſtion, till after *all* the firing was over, tho' there was half a minute's diſtance between the firſt and ſecond gun! Mr. *Palmes* ſpake upon oath in court; Capt. *Preſton* did not: Which of them was the more *diſintereſted* perſon, the reader will judge. Mr. *Palmes* mentioned a further ſtruggle between him and *Montgomery*; and the ſoldier, after the *third* attempt to ſtab him, in miſſing him fell to the ground, and he eſcaped with his life.—Mr. *Danbrook* ſaw *Montgomery* fire, and two perſons fall—Mr. *Baſs* alſo ſaw the ſame ſoldier fire; was ſure he did not fall before he fired: he ſtood where he muſt have ſeen it; he thought he fell afterwards, which co-operates with Mr. *Palmes*'s teſtimony. Mr. *Burdick* went up to one of the ſoldiers, whom he took to be the bald man (pointing at *Montgomery*); aſked him whether he intended to fire; he anſwered, *yes by the eternal* God! A ſoldier puſh'd his bayonet at him, upon which he ſtruck at him a violent blow and hit the cock of his gun; he ſaw but one thing thrown, and that was a ſhort ſtick; he heard a ratling, & took it to be the knocking of the ſoldiers guns together, for the ground was ſlippery, and they were *continually puſhing* at the people; after the firing, *while the people were taking up the dead*, the ſoldiers began to *preſent and cock their guns*, and *then* the officer ſaid don't fire *any more*. *Andrew* declared, that the ſoldiers were puſhing with their bayonets *all the time he was there*; and that the people (being adviſ'd ſo to do before any gun was diſcharged) ſeemed to be *turning away* to leave the ſoldiers: he gives a very *minute* account of three or four perſon's coming round *Jackſon*'s corner, with a ſtout man at their head—his throwing himſelf in and making a ſtroke at the officer—their *paying upon each others heads*—and the ſoldiers *paying upon the heads* of the people too; and concludes this part of his narrative, with the ſoldiers firing! It ſeems however, to be the account of the conteſt between Mr. *Palmes* and *Montgomery*, after *all the firing* was over, as related by Mr. *Palmes*; and wro't up and *embelliſhed*, in a manner in which *Andrew* was ſaid to be *capable* of doing, and ſometimes to have done upon occaſions of *mirth*, and to divert company.

It appears from what has been ſaid, that after the Soldiers had *repeatedly* put the lives of *individuals* in danger, by puſhing them with their bayonets and ſtabbing them; and had loaded their guns and threatned to fire upon the multitude *indiſcriminately*, and the people had reaſon to apprehend they were juſt about to put their threats into execution, by a ſtick thrown as is moſt probable, *Montgomery* received a blow: That this was tho't *by him* ſufficient *provocation* to fire upon the people, by which one of the witneſſes ſaid, two perſons were killed; that Capt. *Preſton*, at ſo *alarming* a juncture took no method to prevent the reſt from firing, if what was teſtified in court is to be credited; or, if *his own* account *muſt* be rely'd upon, he exerted no *authority* over his men, but uſed *expoſtulations* only: "I aſked him (who firſt fired and as ſoon as he had fired) why he fired without order"; very faintly ſaid indeed, by a gentleman in *command*, and who had *followed* the party to "prevent their committing a raſh act": What enſued was enough to ſhow, either that he had *no command* over the men, or that *they* did not apprehend he was much *adverſe* to their firing; for they ſoon after fired, and as *we are told*, without orders—That after they had *all* fired, *Montgomery* made three attempts to ſtab Mr. *Palmes*, who defended himſelf, and with difficulty eſcaped with his life. That the Soldiers had even at that time, *again* loaded their guns and were then, ready to *repeat* the bloody "*action*", and fire upon the people as they were taking care of the dead! Then, for the firſt time, we hear of a poſitive order from Capt. *Preſton* "don't fire *any more*": His order *before* ſhould have been, "don't fire *by any means*", or ſome other order equivalent to the laſt, and more *regular* perhaps than either.—It further appeared by the evidence in court, that when the firſt gun was fired the people *began to diſperſe*; Mr. *Bridgham*, whoſe teſtimony I preſume, will not be diſputed, ſaid "they retired after *the firſt* gun": Was it not then "ſuch *malignity* as might hardly have been expected from *barbarians*," to continue firing! Aſtoniſhing as it may be to *humanity*, this they did: And being reſolved to do *further* execution, Mr. *Williams*, a perſon of known credit, teſtified, that "they waved their guns at the people as they ran": And what, if poſſible, is ſtill more *barbarous*, the laſt man that fired, as Mr. *Bridgham* teſtified, "level'd his gun at *a boy*, and *mov'd it along* with the motion of the lad"; which teſtimony, *if it needs it*, is confirmed by that of Mr. *Helyer*: Both agreed that the lad was not wounded.

"I ſhall make no further comments; there needs none": I will juſt ſay, that however *ſafely*, Philanthrop may ſpeak, when he tells us, that "no individual can have *a right*, openly to complain or *murmur*"; if the times *at preſent* were even ſuch, as not to allow one *openly* to declare the utmoſt deteſtation of ſuch *ſlaviſh* doctrine, I would ſtill venture to declare my opinion to all the world, that no individual is bound, nor is it in the power of the tyrants of the earth to bind him, to *acquieſce* in any deciſion, that upon the beſt enquiry, he cannot *in his conſcience* approve of. I pretend not to judge the hearts of men: The "*temptations* that *ſome men* could be under, to act otherwiſe than conformably to the ſentiments of *their own* hearts" are *obvious*: But I would aſk *Philanthrop*, whether, if a man ſhould *openly* ſay, that thoſe *temptations* have had their *genuine* effects, he would not expoſe himſelf to have a bill of *information* filed againſt him, by the *attorney general*, and to be dealt with in a *ſummary way*.——

As it was publiſhed to the world by Mr. *Draper*, that the *witneſſes* in the trial of the cuſtom-houſe officers, were *not credited*, I may poſſibly hereafter, when I ſhall be more at leiſure, make that the ſubject of a *free enquiry*.

VINDEX.

vid The Verdict pa. 298.

† See Page 370 ‖ See the Narrative of the Maſſacre page 659. ¶ See Capt. Preſton's State of the Caſe page 155. ~ See Philanthrop's peices page 336—365 ∨ vide the Trial page 296 & vide the Trial of the Soldiers, where all the evidence referred to above ~ ſee page 88

A LIST of the Numbers which came up PRIZES in *Faneuil*-Hall Lottery, Letter U, drawn January 1772.

Note, Those Numbers which have no Sums annexed to them, are Prizes of SIX DOLLARS each.

No.	Doll	No.	Doll	No.	Doll	No.	Doll	No.	Doll.	No.	Doll
5	6	375	6	808	6	1189	6	1529	6	1884	6
6		76		10		90		30		96	
7		80		18		91		33		97	
9		90	100	25		92		39		98	
13		93		28		94		40		99	
14		96		29		97		49		1900	
16		97		31		98	20	53		3	8
17		402		32		1201		54		6	
18		3		33		2		58		8	
19		4		42		5	8	61		9	750
20		5		43	8	6		64		14	
21		7		47		11		78		17	
22		12		49		12		81		19	20
23	8	14		51		14		82	50	21	
25		16		54		17		83		23	
41		20		60		19		84		25	
43		23		65		21		87		28	
44		31		66		24	100	94		31	
46		45		70		25		96		37	
50		47		72		29		97		38	
52		55		74		32		1600		40	
53		58		86		33		1		42	
57		60		91		35		3		43	
59		61	100	92		37		6		45	
68		63		95		40		18	50	48	
69		79		98	20	45	400	20		52	
71		81		905		46		21		53	
73		82		15		51		29		55	
78		87		19		54		32		56	
80	8	88		21	100	56		33		59	
81		94		25		58		37		60	8
83		504		27		59		41		61	
84		5		29		62		42		65	
85		7		32		66		43		67	20
90		8		33		67	50	44		68	
91		11	100	35		71		45		69	
98		12		41		74		52		72	
100		19		45		79		56		74	
2		23		48		80		58		78	
8		24		51		81		60		79	
9		31		52		83		61		83	
10		33		57		87		68		87	
13		36		58		93		74		88	
21		41		61		94		85		90	
32		44		63		95		89		99	
38		46		66		98		90	8	2001	8
40		47		72		1303		91		1	
33		48		75		6		92		4	
55		59		78		10		94		5	
58		62		84		13		98		6	
64		63		85		14		1702		7	
67		67	20	86		15		3	8	10	
69		69		87		20		6		11	
74		72	8	89		26		15		14	
77		73		91		29		16	8	21	
79		75		97		36		19		25	
80		80		98		38		22		32	
81		83		1002		39	50	24		37	
82		85		3		40		28		40	
83		86		4		46	8	30		49	
88		89		7		47		32		52	
92		94		8		49	8	34		55	
97		95		14		55		40		66	
208		96		19		58		41		67	8
9	8	600		21		63		43		71	
23		2		25		65		47		75	
24		8		33		69		48	100	79	
26	50	9		35		72	50	50		81	
28		12	20	38		80		51		83	
30		18		39		89		55		85	
38		24		40		98		56		91	
39		25		47		1400		61		95	
46		27		48		5		64		99	
52		28		49		6		69		2100	
58		34		50		9		79	8	5	
60		35		52		10		85	8	9	
61		36		55		12		87		10	
62		40		65		18		90		14	
68		48		66		23		94		15	
71		57		69		24		95		19	
74		68		71		32		1801		21	
77		86		75		34		3		24	
78		87		82		37		4		26	
80	8	90		84	50	38		6		29	20
82		98		92		39		13		33	
83	1500	99		93		42		14		35	
85		701		96		44	200	16		53	
89		11		1107		45		17		55	
91		13		24	50	47		29		56	
92		15		29		49		31		59	
93		22		31		56		32		60	20
94		25		37		59		33		62	
303		26		38		66	20	40		63	
6		30		40		70	20	41		65	
7		31		46		75	20	44		70	
8		33		47		76		45		80	
9		34		48		77		48		81	
11		35		49		80	20	49		83	
16		36	100	53		84		50		86	
22		44		56		90		51		88	
23		53		57		92		55		96	8
29		60		62		92		56		2201	
30		65		63		94		61		5	
32		69		64		95		65		9	
46		70		65		98		68		16	
50	8	73		67		1504		70		17	
54		78		68		10		72		20	
55		83		76		13		75		26	
59		85		78		14		77		29	
63		93		79		20		78		35	
69		95		81		22		79		38	
71		98		82		24		82		45	
74		801		86		25		—		—	

Those Persons possessed of Benefit Tickets, are to apply to the Managers to be sign'd them, for Payment.

Boston, January 1771.

SCHEME
Of a LOTTERY

FOR raising NINE HUNDRED DOLLARS toward Rebuilding FANEUIL HALL, agreeable to an Act of the General Court, wherein Messieurs *Joseph Jackson, Thomas Cushing, Benjamin Austin*, and *John Ruddock*, or any three of them, are appointed Managers, who are sworn to the faithful Performance of their Trust.

Faneuil-Hall Lottery, Letter I

Consists of 2250 Tickets, at *Four Dollars each*; 676 of which are Prizes of the following Value.

Prizes.		Dollars.		Dollars.
1	of	1500	is	1500
1	of	750	is	750
1	of	400	is	400
1	of	200	is	200
7	of	100	are	700
8	of	50	are	400
12	of	20	are	240
20	of	8	are	160
625	of	6	are	3750
676 Prizes.				8,100
1574 Blanks.				
2250 Tickets, at 4 Dollars each, is				9,000 Dollars.
To be paid in Prizes. —				8,100 Dollars.
Remains for the Market,				900 Dollars.

The above Scheme is calculated in such a Manner as we presume will be agreeable to the Public. There are but a little above two Blanks to a Prize. And as great Numbers were disappointed of being Adventurers in the last Lottery, and there is at present a great Demand for Tickets, it is not doubted but that the Drawing will commence in a Month or Six Weeks from this Time.

Public and seasonable Notice will be given of the Time and Place of Drawing; and soon as the Drawing is finished, a list of the prizes will be published in *Edes* and *Gill's Boston-Gazette*, &c. &c. and the money paid to the Possessors of the Benefit Tickets, within twenty Days after drawing.

Gold as well as Silver will be taken for the Tickets, and the Prizes paid off in like Manner. Prizes not demanded within twelve Months after Drawing, will not be paid, but will be deem'd as generously given for the Purposes aforesaid, and will be applied accordingly.

TICKETS are to be sold by the Managers.

TO BE SOLD,
By *JOHN NAZRO*,
At his Shop the Corner of Queen-Street;
For CASH ONLY.

BROAD CLOTHS
Shalloons, Buttons, &c. to match ditto.
Rich black plain Sattins
Rich blue spotted ditto
Rich white figur'd ditto
Allamodes
Persians
White and blue fig. Modes
Irish Linnens
Checks
Cambleteens
Blue & green Camblets
Breeches & Waistcot Pieces
Mens, womens & childrens Hose
Sewing Silks
Scotch Threads
Black Callimancoes
Tammies
Draw-Boys
Black Cotton Velvets
Pins
Milliner's Needles
Wax Thread
Gold Buttons
Gold Loops, Bands and Buttons
Cambricks
Lawns

BAIZES
Coatings
Strip'd Duffies
Swankins
Oznabrigs
White and black Catgut
Womens newest fashion Bonnets
Womens black Sattin Hatts
Womens spotted ditto
Womens, Mens & Childrens Gloves
Dowlasses
Womens black and white Silk Gloves
Pink, green & blue Grizets
Silk Romals
Women & Childrens Stays
Buckrams
Black Cotton Denim
Linnen and Cotton Handkerchiefs
Black & white Bone Blond and trolly Laces
Footing
Ribbons
Carolina Indigo
Best French Beeds
Purle and Garnet ditto
Purple Necklaces sorted.

At the same Place may be had,
Calimanco Shoes & Pumps, warranted.

WHEREAS the Great and General Court at Boston in February 1763, did Grant or Order a Tax of One Penny per Acre should be laid on all the Lands lying in Greenwich, belonging to Non-resident Proprietors or Owners for four Years successively: And whereas the Tempory Act of the General Court for inforcing and carrying into Execution such Orders, expired after the Assessment and Collection of two Years, by Reason of which the Taxes and Charges of the two last Years were not compleated: And having obtained an Order of Court in their Sessions at Cambridge, in April last, that the Assessments and Collections which were left incompleat and unfinished, in Manner as is before mentioned, shall be compleated and finished according to the Original Intent of said Order: WE the Subscribers therefore, pursuant to said Order of Court, having assessed said Lands, and committed the same to the Collector, DO Notify said Non-resident Proprietors or Owners of Land in Greenwich, who are thus delinquent, that unless they pay said Assessments or Taxes to William Fisk, Collector in Greenwich, their Lands, or so much of them as will pay said Taxes and Charges, will be Sold at Publick Vendue, on the Fourth Wednesday in April next, at Ten of the Clock in the Morning, at the Dwelling-House of Mr. John Raa, Innholder in Greenwich, and so from Day to Day: Said Vendue to be continued by Adjournment or Adjournments, till the whole be Sold that shall then remain unpaid.

Isaac Powers,
James McCluer,
Abijah Powes,
} Assessors.

January 11, 1771.

TO BE SOLD BY
JOSEPH HALL,
In Cole-Lane, opposite Mr. *Winslows's* Distill House,
By Wholesale or Retail.

New-England and West-India RUM, old Jamrica Spirits, Brandy, Wine, Cinnamon, Clove, Anniseed & Snake Root Waters, Lemons by the Box or Hundred, & all Kinds of Groceries at the lowest Rates.

TO BE SOLD BY,
Samuel Eliot, jun.
At his Store opposite the East End of *Faneuil*-Hall, very cheap,

SUGARS of all Qualities,
By Hogshead, Barrel or single Hundred,
Superfine and Fine *Philadelphia* FLOUR,
Best French Indigo, by the large or small Quantity, &c.
N. B. A few Barrels choice Beef, and *Connecticut* Pork.

TO be Sold by JOSEPH GREENLEAF, about 2 Acres of choice Land (Mowing, Tillage, Pastu and Orchard) lying in the Town of Abington, in t County of Plymouth, very pleasantly situated, and ne the Centre of the Town, together with a handsome Dwe ling-House, 40 Feet in the Front, 30 deep, two Sto high, a good Barn, and a Number of convenient Ou Houses, surrounded with a large and profitable Garde suitable for a Gentleman's Seat, or for a Trader Tavern-keeper.——Whoever inclines to purchase s Estate, by paying one Quarter Part of the Purch down, and the Residue in Six Months, shall have a go warrantee Deed of the Premisses, if they apply to s Greenleaf living thereon, on the first Day of July ne at which Day, if not Sold at private Sale, the Premis will be Sold by Publick Vendue without fail.

JACOB HEMET,
DENTIST to her *Majesty*, and the Princess *Amelia*,
BEGS leave to recommend to the public, his new discover'd *Essence of Pearl*, and *Pearl Dentifric* which he has found to be greatly superior not only elegance, but also in efficacy, to any thing hitherto ma use of for complaints of the *Teeth* and *Gums*: Partic larly, they will *preserve the Teeth* in a perfect sound sta even to old age; they render them white and beautifu without in the least impairing the enamel; *fasten* fu as are loose, keep such as are already decayed, from b coming worse, prevent the *Tooth-Ach*, perfectly cure t *Scurvy in the Gums*, and make them grow *firm* and *cl* to the teeth; they likewise render the breath delicate, swe and remedy almost all those disorders that are the con quence of scorbutic gums.

Sold (by appointment of Mr. Hemet) wholesale a retail by W. Bayley, perfumer, in Cockspur-street, n the bottom of the Hay-market; & also by Samuel Dea in Broad-street, New-York, North-America, & by W liam Scott in Boston.

To be Sold on reasonable Terms, together or a-pa
A Tanyard, Currying Shop, Barl
House &c. with a Dwelling House, Barn and sufficien of good Land, to keep three Cows & a Horse.—in a ve convenient Place for a Tanner's Business, being pleasan situated in Woburn, about three Quarters of a Mile fr the Meeting-House, at the Corner of the Roads leadi to Andover and Billerica.—Inquire of Edes and Gill.

INN at *NEWBURY*.
WILLIAM LAMBERT, from Yorkshire in E gland, begs Leave to inform the Public—T he has lately taken the Inn at Newbury-Port, forme occupied by Mr. Choate; which is now compleatly pair'd, and new-furnished with convenient Furnitu and the greatest Variety of excellent Liquors. He h also provided commodious Stabling for Horses, & eve Accommodation for Travellers and others. He humb intreats Custom, and will strive by his good Entertai ment to merit the public Favor, at the Sign of the We worth Arms, near the Ferry in Newbury-Port.

WANTED,
A Black Coach Horse—16 Hands high with a good Deal of white in his Face, and that Tro all—Any one that has got a Horse that will answer t Description, bring him to *Benjamin Hallowell*, Esq'r. E at Boston, and he will give a generous Price for him.

Nail Rods, Plowshare Moulds
a superior Quality, Refin'd Iron of all Sizes, superf and common Flour, lately Imported from Philadelph to be Sold by GABRIEL JOHONNOT, at the So End of Boston, at the lowest Cash Price.

TO BE LETT,
A Handsome Brick Tenement (being the Corner o fronting on Beer-Lane and Back-Street, near Baptist Meeting-House, having a good Pump, Yard other Accommodations. Enquire of Edes and Gill.

IRISH LINNENS.
WILLIAM SCOTT, removed from Dock-Squ to Ann-Street, directly opposite to his for Store, and near the Flat Conduit—Has just received fr Ireland, a large Assortment of Linnens, consisting of veral Hundred Pieces of 3-4 7-8 and yard-wide of Prices, which are to be sold on reasonable Terms.

Also at said Store are to be Sold, a Variety of pl and sprig'd black, white and crimson Sattins, Duca Mantua Silks, Sarsnets, &c. with sundry other Engl Irish and Scotch Goods. (Dec. 24. 6 w

Boston, Printed by EDES & GI.

SUPPLEMENT to the *Boston-Gazette*, &c. of (No. 825)

MONDAY, January 28, 1771.

This piece was wrote by Rev. Jn.° Cleveland of Ipswich vide 2 Queries pa. 227 Vol. 2

From the Essex Gazette, *of* Jan. 8, 1771.

by Mr. Hall, Rev. Jn. Cleveland

Please to give the following a Place in your next.

THOUGH I live in quite an obscure corner, I do once in a while see a public print, in which I have observed frequent hints, that his Honor the Lieutenant-Governor would likely be appointed Governor and Commander in Chief of this Province.—And in a late Essex Gazette I saw an extract of a letter from London, dated Sept. 6, 1770, which says, "Mr. Hutchinson is Governor. ---The Province, I am sure, ought to be very "thankful for the having one born among themselves for their Governor—one who so well "knows their constitution—and who has all his life-time shewn himself a friend to it.—This government could have done nothing that ought to be more acceptable to the colony, or that "will put them more evidently in the wrong, if "if they do not agree with him: After that, it "will be manifest that their quarrel is not against "any particular person, but against the having "any Governor at all."

And in a later Gazette, under London, it is said, Sept. 17. A patent hath passed the seal appointing Thomas Hutchinson, Esq; Lieut. Governor of M. B. to be Gov. of that province."

I suppose it is universally allowed, that his Honor the Lieutenant-Governor is a person of superior learning and abilities.---And I firmly believe, not only, that we ought, but that we should esteem it a very special favour of divine providence, to have one of our own sons to take us by the hand to lead us, as commander in chief, with integrity of heart & skilfulness of hands, according to the constitution & laws of this province; & who will make it his grand concern and endeavour, in serving his Majesty as his Governor and Representative, faithfully to serve this people, agreeable to the *counsel of the old men*, viz. "If thou wilt be a servant "unto this people, and wilt serve them, and answer them, & speak good words unto them, (or) "be kind to this people and please them, they "will be thy servants forever."—And who will faithfully represent this people to his Majesty as being most loyal and ready to do all in their power to maintain and preserve inviolate their political union, subordination and subjection to his Britannic Majesty's government, as a branch of his extensive empire, founded in their royal charter; and shall be like good Mordecai the Jew, that "was "next unto the King—and great among the "Jews, and accepted of the multitude of his "brethren, seeking the wealth of his people and "speaking peace to all his seed."

But if our Governor is a *meer tool* of an arbitrary minister of state, who makes ministerial instructions and mandates rather than the royal charter and established laws of this province, the grand rule of his administration---If he will not make use of his own understanding and reason, judgment and discretion how to exercise that power which is given him by charter, as commander in chief, as shall be most for his Majesty's service and the public benefit, as well as the least inconvenient to the members of the General Court and detrimental to private property; yea, who will recede from what he had judged for the public benefit, to yield absolute and blind obedience to a ministerial mandate: If he holds himself bound to obey the ministerial instruction from an apprehension that he shall otherwise incur his Majesty's displeasure, when the instruction is of such a nature as by a just construction divests the Governor of that power which the charter vests him with; as renders it immaterial, whether the Governor be a person of common sense, of good understanding and learning, or not; and as totally annihilates the ground-reason for the institution of the Governor as his Majesty's representative, and therefore does virtually annihilate him as his representative: For if his Majesty knew better than his commander in chief here, that it was more for his service and the benefit of this people, that the General Court should not meet on the 10th (1) January last, but be prorogued to March; (2) and that it should not meet and be held in Boston, but be removed to Cambridge to set in Harvard-College, (2) to discommode that seminary; he might as well know every thing else in the province, that the Governor's power and authority are to be exercised about, better than the Gov. does, & give his orders & instructions respecting those as well as these, and even send over the very *speeches* and messages already dictated for the Governor to communicate to the general court! In a word, if our Governor is resolved to turn a deaf ear to all the remonstrances against making an infraction of our essential rights derived by the constitution and the charter of this province; and against doing what is repugnant to the interest of Harvard College and the designs of the representatives of this people in so liberally granting the monies of their constituents for the emolument and support of that seminary of learning; and against holding the general assembly in Cambridge, as being repugnant to the constitution and a perpetual law of this province;—and to all requests and reasons urged by both houses of the general court, (3) and that "the reasons urged by the coun-"cil and house" shall not "have their *due weight* "*and influence over him*" so long as he is instructed by a minister of state at three thousand miles distance to do otherwise, &c. &c. Then, in such cases, the circumstance of his *being born among us* will only serve to make him so much the more the object of the people's greater contempt, abhorrence and indignation! And indeed, let his turn of mind be never so arbitrary and despotic, yet while he is a Pensioner there is no great prospect of his being any thing better than the tool of an arbitrary and despotic minister.---And if there is now such a minister for the American department, whose administration has been alarming to the American colonies, and very grievous, especially to this province, tending to deprive us of all our important rights as men and British subjects; we have but very little reason to expect, while he continues in the ministry, that any man will be appointed our Governor, that he has not strong grounds to conclude will be after his own heart, to put in execution and perform all his pleasure.

I have understood, that his Honor, in his circuits as chief justice, discovered a very great fondness for those unconstitutional revenue-acts, which the colonies have so generally and fully complained of as an aggrievance, and endeavoured to prevail with the people to believe, by his perswasive speeches, that they were a real benefit to this country, so that they had no cause to complain or be uneasy on account of them.

It may not be amiss to collect a few passages out of what has been published since his Honor's administration began, which, with a few cursory remarks, may be sufficient to shew, if he is, or shall be appointed our Governor, whether there is sufficient reason to say, *we ought to be very thankful for having such a one appointed our Governor.*

His Honor is a historian, and his administration will doubtless be handed down to posterity and be read long after he has quitted this stage, if the world shall continue; and it may not be amiss for him even now to consider in what a light his administration for the time past will stand in the history, with some of the natural observations upon the same.

It will be transmitted, that Lieut. Governor *Hutchinson*, in 1769, succeeded in the administration of government in this province to Governor *Bernard*, who by his misrepresentations, (b) &c. had bro't the colonies in general and this province in particular into great difficulties and made himself an object of universal contempt in America.

That his Honour found the General Court prorogued to the 10th of January, (1) 1770: That he intended to have met "the court on the said 10th "of January at Boston, being the time and place "to which it stood prorogued, (1) when the Gover-"nor left the province, but by the two last packets from England, he received *such instructions* "as made it (he says) *necessary* for him further "to prorogue to this time & place." See his first speech to both houses, Cambridge, March 15, 1770. (a) Note, If these instructions made it *necessary for him*, they had the force of laws with him. (b)

That the house of representatives remonstrated to his honour against *any such* reason for proroguing the "court, as being an infraction of our es-"sential rights as men and citizens, as well as "those derived to us by the British constitution "and the charter of this colony," and add, "we "would farther beg leave to remonstrate to your "Honour, that the holding a general assembly in "Harvard-College is utterly repugnant to the in-"terest of that seminary of learning, & consequent-"ly to the designs of the representatives of this "people in so liberally granting the monies of their "constituents for its emolument and support." (b)

That his Honour in his answer says, "There "being reserved by the royal charter to this pro-"vince *certain powers* to the Governor; when-"soever his Majesty's pleasure is signified to me, "whilst I am commander in chief, in what *man-*"*ner* those powers shall be exercised, I think *my-*"*self bound* to conform to it.

"I wish that every part of my administration, "whether by *force of instruction*, or otherwise, "might be satisfactory to the members of the "house; *but I must not depart from my duty to* "*the King*: If I should comply with the desire "of the house in adjourning or proroguing the "court to Boston, I apprehend I should incur his "Majesty's displeasure; and I the rather hope it "will not be expected from me, because I shall ne-"ver take exception to the exercise of any powers "which are constitutionally in the house, altho' "such powers should be exercised in consequence "of instructions given to the members of the "house by their constituents.—Cambridge, 19th "March, 1770." (c)

Note 1. That the *certain powers* reserved to the Governor are of "adjourning, proroguing and "dissolving the general assembly—*as he shall from* "*time to time judge necessary*"—And "it would "have been unreasonable not to have been so; "inasmuch as a person residing in the colony must "be a more competent judge of the expedience or "necessity of the time and place for convening "the general assembly than any residing in Great-"Britain.

"That power no doubt was originally vested "in the crown, but when by grant in favour of "the commons of this colony, it was devolved "upon the Governor, it became a right equally "irrevokable with the other charter rights; and "is wholly different from a power delegated for "the good of the constituent, which is, in many "cases, revokable at pleasure. As well may all "power and authority vested in the commander "in chief of this colony be revoked and annnulled "as this; as well may the Governor be annihi-"lated and this colony deprived of all the bene-"fits that flow from the monarchical part of the "constitution, but what may be obtained by sup-"plicating the throne at three thousand miles "distance."† (d)

If the power of adjourning, proroguing and dissolving the general assembly is by the royal charter of this province reserved to or devolved upon the Governor as a royal grant in favour of the commons of this Colony, *as he shall from time to time judge necessary*, then his Majesty has alienated the immediate exercise of that power from himself, and has no more right to revoke or resume it or to controul the Governor in his exercise of it, by his ministerial instructions, mandates and orders, than he has to revoke the charter itself by a ministerial mandate: But if his Majesty's instruction contained a peremptory order to his Honor to prorogue the general assembly from the 10th of January to March and from the court-house in Boston to Cambridge, whether his honor should judge it necessary or expedient for his Majesty's service and the good of this people or not; or if his honor's proroguing the court, as he did, *was not founded in his own opinion of the expediency of the measure, or was not from his own motion*, but contrary to what he had *intended* and before judged expedient, was solely by *force of instruction*, upon pain of *incurring his Majesty's displeasure*; then his Majesty has fully revoked, and his honor fully surrendered that power which was devolved upon him by the royal charter, and he, *ipso facto*, ceased to be his Majesty's representative, and became the *meer tool* of the minister of state!

A Representative is "one that serves for or "stands in the stead of another," or he is one "bearing the character or power of another," or he is "one exercising the vicarious power given "by another." That is to say, the Governor is the King's representative, deputy or lieutenant, who has as good a right for the time being to use his own judgment, reason and discretion in the exercise of those powers devolved upon him by the royal charter, as his Majesty has in the exercise of those devolved upon him by magna charta or which he is invested with as King; and as full power, considered as his Majesty's representative, to call a general assembly, and to adjourn, prorogue and dissolve the same, and to signify his concurrence and non-concurrence to acts passed by the two houses, as the King has in parliament—but when these provincial acts are brought before his Majesty, then is his time to shew his approbation or disapprobation.

But a *meer tool* is "a person that does what "another desires, though contrary to his own in-"clination," or "a wretch, who acts at the com-"mand of another," that is, he is one, who acts

† *See the message of the house to the honourable board, March 17th, 1770.*

(5) vid magna Charta pa. 1077 Vol. 2

(6) vid Index Vol. 2 V. vid pa. 298 & vid pa. 320.

(1) To which time it was prorogued by Gov. Bernard vid pa. 580 Vol. 2

(2) vid pa. 10—57

(3) Turn to Index. to Find debates of the House rel. to

(4) Meaning. Mollas. Act vid. pa. 9—Vol. 2 Sea Ad pa. 735. Vol. 1. & vid pa. 620. Vol. 2.

// He certainly is one! ◊ L.d Hillsborough ? vide Charter page 1077. Vol. 2.—Hutchinson is one.
*L.d Hillsborough is one! ? There is L.d Hillsborough. (a) pa. 63. (b) page 64 (c) pa. 64 (d) pa. 69.

not from his *own motion*, judgment or *opinion of the expediency of the measures*, but as a kind of a paſſive inſtrument, entirely *by the force of miniſterial inſtruction!* How can any perſon in a political ſenſe be more contemptible than *ſuch a tool!* Hence his Honor's ſaying, "whenſoever his Ma- "jeſty's pleaſure is ſignified to me, whilſt I am "commander in chief, *in what manner thoſe pow- "ers ſhall be exerciſed*, I think myſelf bound to "conform to it," is no juſt anſwer at all to the houſe's remonſtrance againſt his "infraction of "our eſſential rights, as men and citizens, as "well as thoſe derived to us by the Britiſh con- "ſtitution and charter of this colony;"—becauſe his Majeſty's pleaſure in what manner *thoſe powers* ſhall be exerciſed by the commander in chief, as to adjourning, proroguing and diſſolving the general court, is fully ſignified in the royal charter to this colony in a way very honorary to his Majeſty's governor, viz. *as he ſhall from time to time judge neceſſary*: But his Majeſty's pleaſure in the inſtruction, as ſubmitted to by his honor, not only contradicts but revokes his Majeſty's pleaſure in the irrevokable royal charter; or at leaſt his honour pays greater deference to what the miniſter ſays is his Majeſty's pleaſure, which makes him to be but a meer tool, as though he had not ſenſe and underſtanding ſufficient to judge of the expedience and neceſſity of proroguing or not proroguing the general aſſembly, than to what the royal charter ſays is his Majeſty's pleaſure, which takes it for granted, that the commander in chief a man of ſenſe and underſtanding, and better capable as to his local ſituation, of judging of the expedience and neceſſity of ſuch meaſures than his Majeſty is himſelf at three thouſand miles diſtance.

Note 2. His honour, it ſeems, would inſinuate, that his exerciſing his power or authority in proroguing or adjourning the general aſſembly by the *force of inſtruction* is no more an infraction of charter rights or unconſtitutional, than it is for the houſe to exerciſe the powers, which are conſtitutionally in the ſame, in conſequence of inſtructions given to the members of the houſe by their conſtituents. But I beg leave to aſk, whether his honour will maintain, that the members of the houſe are bound to conform to the pleaſure of their conſtituents ſignified to them by their inſtructions, however contrary to their own judgment of the expedience or neceſſity of the meaſures? If he ſhall ſay they are not bound *thus* to conform to the pleaſure of their conſtituents, then there is no weight at all in his argument to prove, that he, as commander in chief, is bound to conform to his Majeſty's pleaſure ſignified by his inſtruction.—But if he ſhall ſay, *they are bound*,——then I muſt aſk, whether they are bound to conform to every inſtruction, even if it be about any ſuch matter or thing as their conſtituents are in no wiſe in ſo good a ſituation and capatity of judging of the expedience and neceſſity of, as the repreſentatives *in general court aſſembled* are? If he ſhall ſay the members, in ſuch caſes are bound to lay aſide and even to go contrary to their own judgments in order to conform to the pleaſure of their conſtituents; it will in effect be to ſay, that the members of the houſe, in ſuch inſtances, actually ceaſe to be the repreſentatives of a wiſe and free people, and become the *meer* tools of a people quite arbitrary and deſpotic: And infers a doctrine which neceſſarily annihilates the ground-reaſon for the people's having a *houſe of repreſentatives* in the general aſſembly. *(The Remainder to be in our next.)*

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All Perſons who are indebted to

Mr. Thomas Lee, are deſired to pay their reſpective Ballances to the Subſcriber, living in Ann-Street; and thoſe to whom he is indebted, to apply to her for Payment.

Boſton, Jan. 20, 1771 JANE LEE.

A Quantity of Cinnamon, Mace, Cloves & Nutmegs,

To be Sold by

Oliver Smith,

At his Shop a little to the Southward of the Town-Houſe in Cornhill. ALSO,

A compleat Aſſortment of *DRUGGS & MEDICINES*,

Imported in the laſt Ships from London, and warranted genuine.

*** Pepper by the Bag, Hundred or Dozen.

To be Sold in *Waltham*, about

Eight Acres of Land, with a Dwelling Houſe and Barn, a Griſt Mill and Fulling Mill, with ſome Orcharding on it; the whole conveniently ſituated for the Clothing Buſineſs. Alſo about twenty Acres of good Paſture Land, with or without the above Premiſſes as will beſt ſuit. Enquire of William Ruggles living on ſaid Premiſſes.

All Perſons indebted to, or that

have any Demands on, *the Eſtate of Mr.* FITCH POOL, late of *Boſton*, *Merchant*, deceaſed, are deſired to bring in their Accounts to TIMOTHY NEWELL, of ſaid Boſton, *Adminiſtrator* to ſaid Eſtate, in Order for a ſpeedy Settlement. ALSO,

All Perſons who are indebted to, or

that have any Demands on, *the late Company of* POOL *and* CLARKE, of *Boſton*, *Merchants*, deceaſed, are deſired to bring in their Accounts to ſaid TIMOTHY NEWELL, who is impower'd to ſettle the ſame.

TO BE SOLD,

At low Rates for Caſh,

At the Store of the late Meſſ'rs *Pool & Clarke*, on *Greene*'s Wharff.

A Quantity of Cocoa, a few Caſks of

Muſcovada Sugar, and Jamaica Fiſh. ALSO,

A Schooner of about 24 Tons Burthen.

All Perſons indebted to, or that

have any Demands on the Eſtate of Henry Gould, late of Concord, Sadler, deceas'd, are deſired to bring their Accounts to Elizabeth Gould, of ſaid Concord, Adminiſtratrix on ſaid Eſtate, in Order for a ſpeedy Settlement.

All Perſons that have any Demands

againſt the Eſtate of Kendall Johnſon, late of Roxbury, deceaſed, are deſired to bring in their Accounts to Nathaniel Ruggles of ſaid Roxbury, Adminiſtrator, in Order to have them ſettled; and they that are indebted to ſaid Eſtate, are deſired to pay without Delay, as they would avoid further Trouble. Roxbury, Jan. 19, 1771.

Middleſex, ſs. January 16th, 1771.

WHEREAS the Eſtate of William Muzzy, late of Lexington, in the County of Middleſex, Tanner, deceaſed, hath been repreſented to the Judge of Probate of ſaid County as Inſolvent, and the ſaid Judge has thereupon appointed the Subſcribers to be Commiſſioners for receiving and examining the Claims of the ſeveral Creditors to the ſaid Eſtate, and has allowed to the ſaid Creditors ſix Months to bring in their Claims and prove their Debts: The ſaid Creditors are therefore hereby Notified thereof, and that the ſaid Commiſſioners propoſe to attend that Service at the Dwelling-Houſe of Mr. John Buckman, Innholder in Lexington, at Four o'Clock in the Afternoon of the laſt Wedneſday of this, and of the next ſucceeding Months, untill the Expiration of the Term of ſix Months allowed as aforeſaid.

Joſeph Loring,
Jonas Stone.

WE the Subſcribers being appointed Commiſſioners by the honorable Judge of Probate for the County of Suffolk, to receive and examine the Claims of the ſeveral Creditors to the Eſtate of Samuel Treat, late of Boſton, Cooper, deceas'd, Inteſtate, repreſented Inſolvent, and Six Months being allowed ſaid Creditors to bring in their Claims and prove their Debts——DO hereby give Notice that we ſhall attend that Service at the Sign of the Schooner Tavern in Fiſh-Street in ſaid Boſton, on the firſt Monday of the ſix next enſuing Months, from five o'Clock to Seven in the Afternoon of each Day.

Joſeph Bradford,
Boſton, Jan. 18, 1771. Samuel Johnſon,
Giles Harris.

TEN DOLLARS REWARD.

WHEREAS on the Evening of the 19th Inſtant, a Horſe and Chaiſe belonging to the Subſcriber, ſtanding at the King's Arms Tavern on Boſton Neck, was taken from thence and kept all Night, and the Horſe badly us'd, and on Sabbath Morning was left in the Common. I hereby promiſe a Reward of TEN DOLLARS to any one who ſhall diſcover the *real* Perſon or Perſons, that took ſaid Horſe and Chaiſe, that he or they may be brought to Juſtice. JOHN HANCOCK.

January 21, 1771.

Notice is hereby given to thoſe

Collectors of Taxes for the County of *Suffolk*, who have neglected to pay their reſpective Ballances for the Years preceeding 1770, that the Treaſurer for ſaid County will be under a Neceſſity of iſſuing his Warrant againſt them, unleſs they prevent it by making ſpeedy Payment.

ALL Perſons indebted to, or that have any Demands upon, the Eſtate of Mrs. *Anna Green*, late of *Boſton*, Widow, deceas'd, are deſired to ſettle the ſame as ſoon as may be, with JOSHUA GREEN, Adminiſtrator.

All Perſons who have any De-

mands on the Eſtate of the late Gillam Phillips, Eſq; deceas'd, are deſired to apply to Mary Phillips, Executrix, of the ſaid deceaſed's Teſtament, who has to let a large double Warehouſe on the Long-Wharff well fitted, With a handſome Country Houſe, and otherways well accommodated for a Merchant.

ALL Perſons indebted to, or that have any Demands upon the Eſtate of the late Joſeph Green, Eſq; deceaſed, are hereby deſired to ſettle the ſame with Joſhua Green and Ebenezer Storer, Executors.

Boſton, January 7, 1771.

WHEREAS I Eleanor Cooley, *have had a Burſt in the Side of my Belly for Twelve Years, with a Dropſey and ſeveral other Diſorders*: I think it my Duty to acquaint the Publick, that I met with a Doctor in the Town of *Braintree*, that with the Help of God, has made a ſound Cure of me: His Name is CHARLES STEPHEN LETESTER.

CHOICE Bohea and Souchong Tea, warranted good, Engliſh Loaf-Sugar, Pepper, Nutmegs, Cloves and Cinnamon, the beſt Stratſbourg Rappee Snuff in Pound Cannifters, Kippen's Snuff, very fine Table Salt, a few Barrels of choice Soap, London Pins, No. 4, Caſes of twelve Bottles, a new Aſſortment of Cream colour'd Ware, two Quart Caſe Bottles by the Groſs or ſmaller Quantity. Alſo Crockery Ware of all Sorts as uſual, to be ſold cheap for Caſh, by BENJAMIN DAVIS, at his Store the South Side the Dock, near the Swing-Bridge, Wholeſale or Retail.

THE Committee for receiving and diſtributing the Charitable Donations collected in this Province for the Relief of the Widows and Orphans of thoſe Perſons who periſhed at Sea ſince January 1768, belonging to Marblehead. Being informed that many Pariſhes which have made Collections for the Purpoſes aforeſaid, have had no good Opportunity of conveying them to the Committee; ſaid Committee therefore would beg the Favour of all ſuch Pariſhes to ſend their Collections by the Members of their Towns at the next Seſſions of the General Court with Directions to deliver the ſame to the Marblehead Members, who will take Care thereof and deliver them to the Committee aforeſaid. Thoſe Pariſhes where there is no Member are deſired to deliver their Collections to the Member of the next Town if agreeable. JEREMIAH LEE, Chairman.

Beſt Sperma Ceti Candles,

Warranted Pure,

MADE AND SOLD by JOHN LANGDON in *Fleet-Street*, above HANCOCK's *Wharf*, near the *Old North Meeting Houſe*. He alſo ſells the *beſt Refin'd Sperma Ceti Oil* by the Barrel. Beſt *Tallow Candles* mould and dipp'd, and Bayberry Wax Candles. ALL *as low as they can be had at any Place in Town.*

Choice FIRKIN BUTTER, to

be Sold by ENOCH GREENLEAF at the South End, near the Hay-Market. Oct. 29. t. b. c. t. f.

CHOICE CHOCOLATE made and Sold by *John Goldſmith*, at the Corner Shop leading down *John Hancock*, Eſq'rs; Wharff, by the large or ſmall Quantities.—Alſo all Sorts of Groceries.

The Chocolate will be warranted good, and ſold at the cheapeſt Rates.—Caſh given for Cocoa.

Cocoa manufactured for Gentlemen in the beſt Manner.

ALSO, Choice COCOA and Cocoa Nut Shells.

A Philadelphia STOVE, to be

Sold. Inquire of Edes & Gill.

A few Casks of Claret, a few ſmall

Caſks of French Brandy, and ſome beſt Caſtile Soap in Boxes. Enquire of JOHN HOMER, at Store No. 2, on the Long-Wharff. tbctf.

Boſton. Printed by EDES & GILL, *in Queen-Street.* 1771.

Vide page 64. ¶ See Charter page 1077 Vol. 2. & Continued page 385

MONDAY, *January* 28. 1771. [NUMB. 1844.]

The BOSTON Evening-Post.

Containing the freſheſt & moſt important Advices, Foreign and Domeſtick.

JUNIUS AMERICANUS
TO THE PEOPLE OF ENGLAND.

[*Continued.*] ◇

IT has been ſhewn in the Addreſſes with which I have troubled the public, that the whole ſyſtem of Revenue in *America* is completely arbitrary; and if ſo, I need not ſay it is unconſtitutional. Words and declarations can never alter the eſſential nature of truth, nor make that conſiſtent with a free conſtitution, which, in its principle, is clearly and uncontrovertably deſpotic.

We have ſeen the property of the *Americans* granted away without the conſent of the people, or of their repreſentatives, which, Mr. *Locke* will inform us, is manifeſtly and fundamentally unconſtitutional; we have ſeen new Courts eſtabliſhed with powers, not only incompatible with *Britiſh* Liberty, but with every principle of juſtice; and we have ſeen a commiſſion diſpenſing abſolute authority, and ſubjecting all *America*, and the civil power, to the will and pleaſure of five Commiſſioners and their menial ſervants.

The ſtate of the ſubject then in *America*, under thoſe laws, is this: he is to be tried without Jury, his houſe is to be entered, and his locks forced, without oath or warrant; his ſhip and goods may be ſeized, and if ever ſo unjuſtly or injuriouſly, he is precluded from an action of redreſs or damages.

This eſtabliſhment will appear in its true light, by contraſting it with the proviſion made by ſtatute-law, additional to that which the common law would adminiſter, for the ſecurity of the ſubject in *England*. By 12 *Charles* II. ch. 19. it is enacted, "That if any perſon or perſons ſhall cauſe to be landed or conveyed away any cuſtomable goods, without due entry and payment of the Cuſtoms, then and in ſuch caſe, *upon oath thereof made*, before the Lord Treaſurer, or any of the Barons of the Exchequer, or chief Magiſtrate of the port or place where the offence ſhall be committed, or the place next adjoining thereto, it ſhall be lawful to and for the Lord Treaſurer, &c. to iſſue out *a warrant* to any perſon or perſons, enabling him or them, with the *aſſiſtance of a Sheriff, Juſtice of Peace, or Conſtable*, to enter into any houſe in the day-time, where ſuch goods are ſuſpected to be concealed.—Provided always, that no houſe ſhall be entered by virtue of this Act, unleſs it be in the ſpace of *one month* after the offence ſo ſuppoſed to be committed.—Provided alſo, that if the information, whereupon any houſe ſhall come to be ſearched, ſhall prove to be falſe, that then and in ſuch caſe, the party injured, ſhall *recover his full damages and coſts*, againſt the informer, by action of treſpaſs, to be therefore brought againſt ſuch informer."

This contraſt requires no comment; I will therefore proceed to obſerve, that the eſtabliſhment of Vice-Admiralty Courts, now made in *America*, is preciſely ſuch a grievance as was formerly complained of and redreſſed in this country, as will appear from the 13th of *Richard* II c. 5. "Foraſmuch as a great and common clamour and complaint hath been oftentimes made before this time, and yet is, for that the Admirals and their deputies hold their ſeſſions within divers places of this realm, as well within franchiſe, *as without*, accroaching to them greater authority than belongeth to their office, in prejudice of our Lord the King, and the *common law of the realm*, and in diminiſhing of divers franchiſes, and in the deſtruction and improveriſhing the common people; it is accorded and aſſented, that the Admirals and their deputies, ſhall not meddle from henceforch of any thing done *within the realm*, but only of a thing *done upon the ſea*."

Let me here aſk, What plea will excuſe the reviſal of a juriſdiction ſo formally condemned as oppreſſive and illegal? But there are yet two circumſtances which render thoſe Courts infinitely more oppreſſive than I have hitherto repreſented them. For eighteen Colonies there are, I think, four Vice-Admiralty Courts appointed. It muſt therefore happen, that a man may be dragged out of his own Colony, into another, to anſwer an information or libel; and however unjuſt and malicious it may be, he can have no reparation for his trouble, vexation, and expence. Unleſs it may be expected that a Judge, whoſe intereſt is to encourage informers, will diſcourage and expoſe them to puniſhment, by not certifying a probable cauſe of ſeizure: an expectation ſo frail, that it hardly furniſhes a ſhadow of hope. The other circumſtance is that theſe Courts may come to have juriſdiction in private property, in fact, not relating to trade. An Act of Trade, 2 *Geo.* II. ch. 35, enacts, "That no perſon ſhall fell or deſtroy any White Pine-trees, except only ſuch as are the property of private perſons: other pine-trees, of a certain ſize, being appropriated to the Crown, for the uſe of the navy." By the Act 5 *Geo.* III. ch. 15. "All the forfeitures and penalties inflicted by this, or any Act or Acts of Parliament relating to the Trade and Revenues of the ſaid *Britiſh* Colonies and Plantations in *America*, which ſhall be incurred there, ſhall and may be proſecuted, ſued for, and recovered in any Court of Vice-Admiralty, which may or ſhall be appointed over all *America*." From the tenor of theſe two Acts, it may happen, that an information laid againſt a man for cutting a white pine-tree, though, in fact, in his own land, will bring it to a determination before the Judge-Admiral, and make him arbiter of the ſubject's property of this particular deſcription; which, how ſubverſive it is of the common law of the realm, requires no explanation.

The next *American* grievance, to which I ſhall beg the attention of the people of *England*, is a late attempt to eſtabliſh a form of bringing over the *American* ſubject, charged with treaſon, or miſpriſion of treaſon, for trial in *England*. ‖

The authority on which this attempt is founded, and the hardſhips that would attend an *American* ſubjected to it, conſpire to give it the ſtrongeſt features of cruelty and oppreſſion. An Act of *Henry* the VIIIth, made before the Colonies were in being, and never applied to them ſince their exiſtence, is now declared to be legal authority for bringing over the Coloniſt from his friends, from the Jury of the vicinage, and from all legal power of proving his innocence, to be tried among ſtrangers, for a crime to which the law annexes the higheſt puniſhment. For all treaſons, the law of the Land is moſt explicit in defining the crime, and ſecures to the accuſed the fulleſt and faireſt trial. Now, inſtead of this, the *American*, under this new mode of trial, needs only to be accuſed, that he may be condemned. For no Court here, having, by law, any power to iſſue a precept for bringing witneſſes from, or taking affidavits in *America*, the accuſed is thereby incapacitated to diſprove the charge. The Jury of vicinage, ſo ſacred in the law, is ſtudiouſly taken from him, and he is to ſtand among ſtrangers, prejudiced againſt him, perhaps by miniſterial management, to prove his innocence without witneſſes, and withſtand, without friends, the whole influence and art of government. For it muſt be obſerved, that nothing but a determined ſpirit to oppreſs and deſtroy the man by any means whom the laws protected from their unjuſt efforts, could ever prompt government to innovate on the eſtabliſhed mode of trial. ¶ And it is a curious part of the private hiſtory of this proceeding, that a *North-Britiſh* Lord drew forth this ruſty iron rod, for the unjuſt affliction of *America*, which the honor and juſtice of *England*, would not exerciſe over his rebellious countrymen. In the rebellion, a ſpecial and temporary Act was paſſed for the trial of the *Scots* rebels; ſo little did Parliament think that the Act of *Henry* the VIIIth was ſufficient authority for this purpoſe; or ſo little were they inclined to ſet up a conſtant engine of oppreſſion, as is done with regard to *America*, even againſt a people ſo manifeſtly and deeply tainted with rebellious and unconſtitutional principles. But the leopard changeth not his ſpots, nor the mind of a *North-Britiſh* Lord his tyrannical temper. It has been ſolemnly adjudged in the Courts of *Weſtminiſter*, That no Act of Parliament, in which the Colonies are not expreſly mentioned, does extend to them; and how much leſs ſhould an Act made before they exiſted? The Miniſtry have, indeed, ſupported the ſpirit of this Act, which was tyrannical, though, in one reſpect, favorable to the ſubject: for *Henry* was a Prince remarkable for being a tyrant under the appearance of Parliamentary authority, and his reign furniſhes a very uſeful Leſſon for every *Engliſhman*; which he ought to ſtudy, that he may the better judge when the ſame views of government prevail at Court. But, under this new mode of trial, ſhould the poor *American* eſcape death, by his innocence appearing in deſpite of all theſe diſadvantages, he could not hope to avoid ruin. For *American* eſtates in general would not bear the expence, which would attend a trial carried on three thouſand miles from his reſidence. So that were this authority once eſtabliſhed over *America*, it would be in the power of every Governor and of every Miniſter, to devote whom they pleaſed to deſtruction, or to ruin. For the Miniſter or Governor is in the place of a Grand Jury; and a Jury of ſtrangers in that of the vicinage. How abhorrent this is, from every principle of humanity, of juſtice, of conſtitutional liberty and law, I muſt leave to the feelings of every honeſt boſom.

Under the ſenſe of the grievances I have already enumerated, an *American* would naturally complain in the very words which our anceſtors uſed, under *Charles* the Firſt. "It is not," ſaid they, "that Ship-money hath been levied upon us, but it is that thereby Ship-money is claimed, which is the gift and earneſt-penny of all we have: it is not that our perſons have been impriſoned, for the payment of Ship-money, but that our perſons and lives are, upon the ſame ground of law, delivered up to *will and pleaſure*. It is that our birth-right is deſtroyed, and that there hath been an endeavour to reduce us to a lower ſtate than villainage. The Lord might tax his villain *de haut et de baſſe*, might impriſon him, but his life was his own; *the law ſecured him that*."

It is impoſſible here to avoid obſerving, how exactly ſimilar the arbitrary diſpoſition of a *Stuart* of the laſt century is, to one of this. For, as I have already declared, I aſſert again, that theſe grievances flow from the counſels of a *Stuart*; and are a part of the great ſyſtem formed for enſlaving the whole dominion by the favourite Thane.

I ſhall cloſe the enumeration of *American* grievances, with one which, like giving and granting the money of the Colonies ſtrikes at the very root of repreſentation. This is the Act of the 7th of *Geo.* III. ch. 59. to ſuſpend the *legiſlative power of the Aſſembly of* New York, *for not raiſing money on the people to ſupply the troops, agreeable to an Act of Parliament.* If any power on earth is to command the Repreſentative of the people, when, and in what ſums to levy money on the ſubject, how are they free? Or what is ſuch a Repreſentative more than an inſtrument for executing the arbitrary will of others? For "a Parliament" (as *Pym* juſtly obſerved on a ſimilar occaſion) "without Parliamentary liberties, are but a fair and plauſible way into bondage." Whether ſuch a proceeding be conſtitutional or juſtly to be complained of, on the part of *America*, will be ſeen from the Journals of Parliament, where the Commons of *England*, in their own caſe, aſſert their privilege againſt *James* I. in theſe words: "We hold it an *antient general and undoubted* right of Parliament, to debate freely of all matters which do properly concern the ſubject and his right of eſtate; which freedom of debate once fore-cloſed, the eſſence of the liberty of Parliament is withal diſſolved."

It is obvious to common ſenſe, that the ſame freedom of debate is eſſential to the liberty of every *American* Aſſembly, as to the Houſe of Parliament; and that the invaſion of it, however made, is equally ſubverſive of their antient and undoubted right.

I have thus laid before the public, the capital grievances which have, within theſe few years, been heaped upon the Colonies. *The diſpoſal of their property againſt their conſent; the eſtabliſhing Courts and Commiſſioners among them, with all the powers that are inconſiſtent with liberty and law; the rendering life as well as property inſecure, by the new mode of trial for treaſon, &c. and deſtroying all freedom of debate & determination in their provincial aſſemblies.* Had theſe powers been executed by *faithful ſervants*, ſupported by an adequate number of *peace officers in regimentals*, and over a people ſubmiſſive to bend their necks to any yoke; we ſhould ſoon have ſeen the heretofore flouriſhing, becauſe free, Provinces of *America*, wretched and waſte as thoſe of the Grand Signior's empire, the miſerable reſidence of ſlaves and tyrants.

But let the people of *England*, to whom the tyranny of a few can be neither profitable nor ſafe, judge of the *American* as becomes them. They will then ſee, that the government there ought to be reſtored to that center, on which the wiſdom and juſtice of our anceſtors poiſed it, *reſerving to this country the ſupreme regulation of trade; and leaving to them, untouched, the diſpoſal of their property, and the ſacred poſſeſſion of the common law of the land.*

WANTED,
Eight Thouſand White Oak Hogſhead STAVES, and Three Thouſand Hogſhead HEADING; for which the Caſh will be given.——
Enquire of the Printers.

◇ Continued from Page 335. ‖ See the Commiſſion page 253 Vol. 2. ¶ See Reſolves of the L^ds and Comm^ons page 436 Vol. 2 § See Page 748. vol. 1 & L^d Bute and of the Commons pa. 468 —

To the Publishers of the BOSTON EVENING-POST.

THE British Constitution of Government, so highly prized by Englishmen, and so much admired and extolled by the greatest Men of all other European nations, is a happy mixture partaking of the Monarchical, the Aristocratical, and the Democratical Forms; and so exquisitely nice and just are the proportions of this beautiful Fabrick, that, under a regular administration, the subjects enjoy *all* the *essential* benefits of each of the three Forms, while they neither experience the disadvantages, nor are exposed to the dangers of *either* of them.—They can, when occasion requires, exert the combined strength of the whole, against a common foreign enemy, without the remotest hazard of being enslaved by the Monarch; and they are blessed with *social Liberty* in its highest degree of perfection, without feeling the miserable effects of unbounded *natural freedom* of action. In short, the true happiness of every individual, in the security of his life, person and property, depends, infinitely more, upon his own *freedom* of choice, than it would, if he were at full liberty, as in a state of nature, to do whatever should be right in his own eyes. Among the several parts of this admirable frame, none has been more justly, or more universally revered, than that of trials by juries, in criminal matters—this has been always esteemed, with strict propriety, one of the grand bulwarks of English liberty—and indeed, what greater security, could have been devised, to the lives of the subjects, than this affords? What a safeguard is here, against tyranny, on the one hand, & the *sudden premature* judgment of the multitude on the other? No man can, by law, forfeit his life, but by the deliberate concurrent judgment and verdict of *twelve* of his *equals*,—and that *grounded* on the *publick accusation* of, at least, *twelve others*,—and aided with the advice of the proper judges of the law.—But we ought ever to remember, that the real benefit and advantage of this right, depends entirely on a strict *adherence* to the *known, established rules* of trials, and on a perfect uncontrouled *freedom* of mind in the determinations both of *judges & jurors*—for if once the constitutional rules of law are disregarded; or, if by the *threats* or *promises* of those in *superior power*, or by the *clamours* of the *populace*, or the *harangues* of *Demagogues*, the Judges are *perverted* or *intimidated* from *freely* declaring the *Law*, or the Jurors from *conscientiously* determining the *Facts*, this our boasted priviledge instantly loseth its value, and becomes, *Vox et preterea nihil*—a mere *shadow*, without *substance*.—No man who is accused, can then tell, whether his fate depends upon the *wise Laws* of his Country, or upon the *arbitrary will* & *pleasure* of a single *despot*—whether his life or death is to be determined by *twelve*, or twelve *thousand*, of his countrymen—in short, whether he is to stand or fall by the cool impartial *judgment* of a *select number* of his Peers, or by the *headlong passions* of an enraged misguided *multitude*. It is therefore of the last importance, to preserve inviolate, that *certainty* of *rule*, and that *freedom* of *judging* in criminal matters, to which, by the form of our happy constitution, all are justly intitled. *Innovations* are dangerous, because they *may* become *precedents*; and we can never wish for them, to the prejudice of the most *obnoxious* of our fellow-subjects, while we consider that it may possibly be *our own* turns hereafter; and that, *with what judgment we judge*, WE MAY OURSELVES *be judged*; *and with what measure we mete*, IT MAY *be measured unto* US *likewise*.—One essential rule, among others is this, "*No evidence is to be given against a prisoner in cases of life, but* IN HIS PRESENCE."—This rule the judges and jurors are bound, by law, and by their oaths, religiously to observe; and therefore if a testimony taken *out* of the prisoners *presence*, before justices be offered in evidence on a trial, it is the duty of the judges to over-rule it, and not suffer it to go to the jury—and if such evidence come to the knowledge of the jurors, *out of Court*, it is their indispensible duty, totally to disregard it—If it were otherwise, an innocent man might lose his life upon evidence cook'd up for the purpose, against which it would be utterly impossible for him to defend himself,—for in order to the *full* discovery of the *whole* truth, *much* depends upon the *cross-examination* of a witness—even tho' he be never so honest, yet if he be unused to testifying, he may, by *artful interrogatories*, be easily drawn, inadvertently to give a very *partial* and *imperfect* account of facts;—but if his passions, prejudices and inclinations happen to be on the side of the party who takes his testimony, tho' he is conscious that he has not declared the whole truth, yet he will readily apply this Salvo to his conscience, that he has answered truly to *all such questions* as were *put* to him. It is true, examinations of witnesses taken before the *coroner*, in cases of felony, are sometimes admitted to be read on the trial; but this is by force of a particular statute of Phil. and Mary, and is confined to these three cases, viz. where the witness is *dead*, in which case, the impossibility of having him to testify, *viva voce*, in court, is considered as arising merely from the *act of God*—or where he cannot be found, and so is *presumed* to be *dead*—or, lastly, where he is out of the way, by the *procurement* of the *prisoner*, and cannot be had; in which case it would be unreasonable, and against the rule of law, that he should take advantage of *his own wrong*. But depositions *in perpetuam*, taken before justices, out of court, have, in no instance that I can recollect, ever been used on a trial for life—and whoever considers how strong the *first* impressions on the human mind generally are, will see and acknowledge the great danger, cruelty & injustice of *taking* & *publishing* such depositions previous to such trials. Depositions *in perpetuam* are, in the design of them, confined solely, to matters of a civil nature, between man and man—they are taken to *perpetuate* the *remembrance* of the thing testified, and are to be improved as *evidence* only in case of the *death* of the witness. This *imperfect* mode of evidence is allowed of, merely, from the supposed *necessity* of the thing; and whoever has observed the many ill consequences attending the admission of it, even in *civil causes*, will never wish to see it introduced in trials of a *criminal nature*, unless he wisheth to have the *lives* and *liberties* of the subjects stand upon a less stable foundation than our constitution has happily placed them upon—and I think I may safely affirm, that, *a better foundation can no man lay than that which is laid*. This point, that depositions taken before justices out of court, cannot be improved as *evidence* against a prisoner on a trial for life, is so well known and established, that it may, perhaps, by some, be thought strange that I should treat it as a controverted problem—it may be said, no such kind of evidence has been *admitted* or *contended* for on the late trials—'tis true—but VINDEX is attempting, if I am happy enough to understand him, to convince the world, that Captain Preston and the soldiers, if not the custom-house officers, ought to have been *condemned* instead of being *acquitted*; and in order to this, is exhibiting a state of facts, collected in part from a certain *narrative* and certain *depositions*, composed and taken, *not* in the prisoners *presence*, and *printed* and *published* previous to the trials. Now this appears to me, evidently, to be rejudging the judgment of the court and jurors, by a rule *confessedly erroneous*—for if the narrative & depositions could not by law have been admitted as *evidence* on the trials, neither can they, with justice or propriety, be improved in determining whether the judges and jurors have done *right* or *wrong*—otherwise, it is manifest, they may be faulted and condemned, for not judging upon *evidence* which they *had not*, and could *not* have had, before them. This is so very clear, that VINDEX must certainly be of opinion, that the narrative and printed depositions might lawfully have been given in evidence against the prisoners; or else he is wittingly and wilfully endeavouring unjustly to injure the characters of the judges and jurors in the most tender points—the latter I will not suppose, and therefore shall make no further apology for attempting to establish a point, which to most people may appear too plain to require any proof; I mean the *impropriety* and *illegality* of using *printed* pamphlets and *depositions* as *evidence* in capital trials. To this purpose, I shall, in one or two instances, give the reader the sentiments of the King's courts in England upon this head.

In the King's Bench, 8 Geo. on the trial of Hugh Reason and Robert Tranter, for the murder of Edw. Lutterell, Esq; the examination of the deceas'd, taken on oath, by two justices, a little before his death, was mentioned by the Council for the Crown—— Whereupon Lord Chief Justice Lee said,—"And "there is also an examination *in print*;—that ought "not to be, and the person who did it ought to "be censured—are juries to be *prepossessed?* here "is a *printed pamphlet*, whereof the title is, Mr. "Lutterell's cry for justice ——if the examination "is true, it ought to be produced, and the prisoners "ought to come *fairly* to their trial, and if guilty, "God forbid but they should suffer; but not by "*passionate insinuations in print*—it is an *unprecedented* thing; and if it comes out, who did it, "I shall take a course with them; it is a way of "*preventing* all manner of *justice*."——

In the trial of Mary Blandy for the murder of her father, at the Oxford assizes, 29. Feb. 1752, before Heneage Legg and Sir Sidney Stafford Smith, Knt. two of the Barons of his Majesty's Court of Exchequer, Mr. Ford, Council for the prisoner said—"As very "*unjustifiable* and *illegal* methods have been used "to prejudice the world against Miss Blandy, such "as it is hoped no man will have the *boldness* to re"*peat*,—I mean, the *printing* and *publishing* the "examination of the *witnesses*, *before* her *trial*; "and as very *scandalous reports* have been *spread*, "concerning her behaviour, even since her impri"sonment; it is desired, that the Revd. Gentleman, "who has attended her as a clergyman, may give "an account of her conduct, while in goal, that she "may, at least, be delivered of some of the infamy "she, at present, is under."—To which he was answered by the court—"It is needless to call a "witness to that, as the jury are *only* to *regard* what "is *deposed in court*, and *entirely to disregard* what "*papers* have been *printed* and *spread about*, or *any* "*reports* whatsoever."—And Baron Legg, in his direction to the jury, after mentioning the charge against her, and her plea thereto, said,—"In the "first place, Gentlemen, I would take notice to you "of a very *improper*, and very *scandalous* behaviour, "as to the prisoner, by *certain people*, who have "taken upon themselves, very *unjustifiably*, to *pub*"*lish in print*, what they call depositions taken be"fore the coroner, in relation to this affair which is "now brought before you to determine; I hope "you have *not seen* them, but if you have, I must "tell you as you are men of sense and probity, that "you must *divest* yourselves of every *prejudice* that "can arise *from thence*, and attend *merely* to the "*evidence* that has *now* been given, *before you in* "*court*."

Many more resolutions of the King's Courts might be produced to the same purpose; but these are abundantly sufficient to establish the point, and to shew that neither the printed narrative of *the horrid massacre*, nor the *printed depositions* annexed by way of *appendix*, could *properly* or *legally* have been *regarded* by the court or juries, in the late trials. How they came to be *printed*, VINDEX has told us—but says, the town by a vote, *after* they were *printed*, *restrained* their committee from *publishing* them—I must confess this distinction between *printing* and *publishing* is too metaphysical for my conception;—if VINDEX means, that the committee were *restrained* from suffering them to come abroad, he is mistaken in point of fact; for it is notorious that many of the pamphlets were handed about, long before the trials; and the contents of them were pretty generally known; nay, several of them were lying on the table in court, during the whole time of the trials—if he has any other meaning, he would oblige me by explaining himself. I desire not to accuse any of a criminal *intention*; but most certainly, the printing and publishing this extraordinary narrative, with the depositions, of which no *legal* use could be made, was altogether unjustifiable, and highly injurious to the prisoners, as it exposed their lives to a degree of *danger* beyond what *law* and *common justice*, could either require or countenance; and, according to my own apprehensions, the use VINDEX is now making of them is as evidently irreconcileable with the first principles of justice, and the conscience of a good patriot. VINDEX must be supposed, at present, to be of a different opinion; but if ever he sees his error, he will doubtless preserve the character of a gentleman and an honest man, and candidly retract many things he has published, and thereby, as far as may be in his power, do justice to the judges and jurors—It appears to me to be but a poor compliment paid to their understandings, to tell them, '*it is not meant to arraign them at the bar of the publick*,'—while, at the same time, an attempt is making to persuade the publick, either that they did not *know*, or did not *regard* their duty—nor does it mend the matter much, to tell them by way of palliative, that, '*it is difficult to ascertain the truth even in a court of law*,'—what! when four judges and twenty four jurors have spent so many days in searching out the truth, are they all *fools*, and is VINDEX *alone* capable of *discerning* the truth? or are they all *knaves*, and is VINDEX *alone* the honest man who will *declare* it? I do not mean to misrepresent, but this appears to me, to be, in plain English, the *amount* of the charge brought against them by VINDEX; and I have in view nothing more than to convince the world, that the prisoners have been tried upon *legal* and *proper* evidence; and that upon *that* evidence they have been *fairly* and *justly* acquitted; and consequently that neither *judges* nor *jurors* stand justly chargeable in this matter, with want of *integrity* or *ability*.

I am accused by VINDEX, with having *laid a foundation for a dangerous superstructure*—I am not *sensible* of it, and I am sure I did not *intend* it—If the preservation of, peace and good order, a proper sense of the blessings of good government, a due regard to publick and private justice, and an habitual attention to the necessary means of securing and enjoying social happiness—if this be a dangerous superstructure, I acknowledge I have *endeavoured* to lay a foundation for such an one—but if, to instill into the minds of the people unreasonable fears for their rights and liberties—groundless distrusts of the honesty of *all* rulers indiscriminately—and a disposition to cavil and find fault with *every* step in the administration—if to subvert the fundamental pillars of distributive justice, by snatching her sword from the hands of those in whom the constitution has placed it—to sap the foundation of all kind of government, by persuading the people, that nothing is thereby intended or calculated for their good—if this be poison, it has been and still is my design to *administer an antidote*; and happy shall I be, if I can, in any measure, be instrumental in preventing the fatal effects of such baneful poison.

I shall, in my next, proceed to lay before the publick, the substance of the evidence upon which the late verdicts were grounded, together with such remarks thereon as I hope will not be thought impertinent.

Jan. 24th. 1771. (a) *Philanthrop.*

& Continued from page 366.— See Page 325 and so on — & See page 371

(a) Continued page 387

1 Vide the Narrative of the Massacre page 659.

(2) vid pa. 365

& Trial of Preston & the Soldiers

2 vid Trial of Soldiers pa. 785

(1) vid — Prestons Verdict pa. 298

(3) vid — Verdict — pa. 1 — page 324.

LONDON,

Nov. 2. A Gentleman of this City was a few days ago called on to give his reasons for refusing to pay the land tax, for his estates in a certain county, or suffer his tenants to pay it; he answered, that he would never pay a farthing till he is legally represented in Parliament, and that if his tenants pay the tax he will not allow it them again.

"At Spithead there are 16 sail of men of war under the command of Admiral Geary; also at Spithead, the ship Yselmondoon, a Dutch outward bound Dutch Indiaman, who has on board 286 men, of whom there are upwards of 90 very ill with a violent fever. Six of her complement are already dead, as are also two Custom house Officers, who were put on board her; the fever they have, it is said, is very contagious."

Nov. 15. A French Surgeon, who some time since visited the Abbey of St. Dennis, fell upon his knees before the tomb of Lewis XI. which one of the Monks observing, told him that was not the tomb of a Saint: he may not be your Saint, good Father, answered the Surgeon, but he is mine; for it was he first brought a disease into France, by which I have gained 150,000 livres.

New-York, Jan. 17. 1771.

We hear that on Monday last, Mr. John Lambert, of this City, who for several years had been afflicted with the STONE, had a large one, weighing between 4 & 5 ounces extracted, (by Dr. Jones) and we are told he is in a promising way; it is remarkable that the Stone was formed upon a Bullet, which was lodged in his Bladder, by a Gun-shot, Wound, received about 25 years ago.

[This remarkable Stone, is somewhat of an oval Form, a little flattened on two sides, the side which lodged undermost, almost as smooth as if polish'd, the upper side rough and full of knobs like large grains of gravel. A small part of the Bullet appears on the under part, not cover'd by the Stone]

NEW-PORT, Jan. 21. 1771.

Last Friday night a Fire broke out in a Cooper's Shop on Taylor's Wharf, which burnt one Dwelling-House, one large Sugar-House, with about two thousand Dollars in Sugar, also two Cooper's Shops, one Joiner's Shop, and five or six other Stores and small Buildings: The whole Loss sustained by the sufferers is very considerable.

Philadelphia, January 24 1771.

Copy of a Letter from Cadiz, *November* 6, 1770.

"I take the Liberty to inform you, as acting Consul for his Majesty here, and being largely employed as a Factor for many of his Majesty's subjects concerned in the trade of the Colony which you preside over, that there is for the present the strongest appearance of a rupture betwixt Great Britain and Spain, which may be a means of many vessels arriving from the plantations in North America, in the different ports of this kingdom, after a War may be declared, and consequently be made prizes of; I have taken every precaution which occurred to me, towards preventing such vessels as may be on the way, from coming into this port, or others in Spain, should a rupture actually happen; and I give you this notice, that you may make such use of it as your prudence may suggest towards preventing other vessels being dispatched to these parts, until after accounts being received of these clouds being dissipated, which I sincerely wish they may be favorably and soon, so as to enable his Majesty's subjects trading this way, to pursue and re-assume their trade with security and safety. I have the honor to be, Sir, your most obedient, & most humble servant, JAMES DUFF.

To the Hon. John Penn, *Esq;*

Extract of another Letter from Cadiz.

"I am sorry to tell you, that things look still embroiled and I much fear that they may come to some extremity, the greatest security against it is, the poor condition this country is in, they have neither men nor money to go to war with; and I believe them to be disposed to make any kind of concessions to avoid it, of which I hope our Rulers in England may make a proper advantage."

Extract of a Letter from London, *November* 7, 1770.

"By the last accounts from Philadelphia I am informed, you have agreed to receive all goods but Tea, shipped after the 15th of January next; I am in hopes the duty may be taken off in time, to include that article also, having some assurances of it."

Extract of another Letter from London.

"*With regard to our dispute with Spain, you may be assured, from good authority, it is now reduced to a mere punctilio, and there is no doubt of their submission. The French Court too, dread nothing so much as breaking with us at present. These important particulars you may depend on. But if, contrary to all reasonable expectation, the present misunderstanding should at length occasion a War, our Fleet is in excellent order, and the whole English nation are quite alive and alert, in contemplation of a rupture with their antient enemies, Our Finances you may be assured are such, that, with an additional shilling land-tax, will be sufficient to carry on a naval War. A situation this, which our enemies know, and tremble at.*

"*I think there is good reason to suppose that the Duty on Tea will be repealed this Sessions, in which case, I hope things will again subside into that regular channel, which they flowed in before the eruption of the late discontents. What has passed, will, no doubt, excite a constant jealousy in the Americans, of any future encroachments of arbitrary power, and will, I trust, be a lesson to Ministers, to avoid the agitation of so dangerous a requisition, as that of an American Revenue.*"

Extract of another Letter from London, November 9th.

"*We are fluctuating between Peace and War, our Ministers know not which. They have rose in their demands on Spain, when they found the French advising that Court to Peace. This may disgust the Spaniards so much as to make them determine upon War; we shall know in a few weeks.*"

Extract of another Letter, dated November 15th.

"*It is not clear how public matters will turn out. From all that can be learnt, tho' it is very possible things may end in a War during the course of next summer, yet it is still thought more probable, that they will terminate peaceably.*"

Extract of a Letter from St. Kitts, December 7.

"*There are* 30 *sail of Privateers at Martineco & Guadaloupe, ready to put to sea; and should a War be declared, our Seas will be full of them: The French have bought up all the Powder and Shot at Statia.*"

BOSTON, *January* 28. 1771.

Friday last Captain Hill arrived at Marblehead from Lisbon, which he left the 21st of December; and a Gentleman there in a Letter of the 19th, writes, "That Mr Potter, (the Messenger from the English Court) left Madrid the 7th of November, and that they impatiently waited an Answer from Britain to their Overtures, which was expected by the 4th of December."—There was no Account of a War when the above Vessel left Lisbon.

Since the above we hear a Vessel is arrived at Cape Ann from Falmouth, who has brot Advice that Mr. Potter had returned from Madrid, and that the Overtures of the Court of Spain were unsatisfactory, and that it was expected WAR would be declared in a few Days.

The Commissioners of the Customs have appointed Mr. *Richard Silvester* Land-Waiter, Gauger and Weigher, for the District of Cape Ann, in the Port of Salem and Marblehead, in the Room of Mr. *Phillips*.

We hear that Capt. Cooper, bound to Bermuda, was cast away at Marshfield last Tuesday Night, and the Vessel entirely lost, but the Men saved:—He sailed from hence the Morning before.

The same Night Capt. Bass, in a Brig from the West Indies for this Port, being at Anchor in Cape Cod Harbour, parted both her Cables, but escaped driving ashore, and arrived here on Thursday.

We hear that about a fortnight ago Mr. Isaac Chapman, of Groton, in Connecticut Colony, kill'd a two Year old Sheep, which was a Twin, that weighed 87 Pounds and a Quarter, and had in it 27 Pound of Tallow.

On Monday last was decently interred at Cambridge, the Remains of Mrs *Margaret Appleton*, Consort to the Rev. Mr. *Appleton*. She was Daughter of the late Rev. Mr. *Henry Gibbs*, of Watertown. Mrs. *Appleton* was possest of that Ornament of her Sex, a meek and quiet Spirit; was remarkably diligent in the Oeconomy of her Family, Hospitable and kind to all; she sympathized with the poor and distress'd, and was ever ready to relieve and assist them—to her Friends she was agreeable and pleasant; in her whole Deportment prudent, inoffensive and exemplary,—she maintained a close walk with GOD, and led a Life of Piety and Devotion:—In her last Sickness, which was about ten Days, she was calm & serene knowing in whom she had trusted, and looking for the Mercy of our Lord Jesus Christ unto eternal Life, she quietly resigned herself unto the Will of her heavenly Father.—*Blessed are the Dead that die in the Lord.*

Last Thursday sennight suddenly departed this Life, at Ipswich-Hamlet, in the 23d Year of her Age, Mrs. *Elizabeth Parsons*, the agreeable and amiable Consort of Mr. *Obadiah Parsons*, and youngest Daughter of the late Rev. *Samuel Wigglesworth*.

Last Tuesday Evening one Mrs. *Elizabeth Sheppard*, at the South End, accidentally fell down Stairs as she was going up to Bed, broke her Neck, and expired instantly.

On Thursday the 24th Instant, died at his Seat in Milton, the Hon. ANDREW BELCHER, Esq; in the 65th Year of his Age. He was eldest Son of the late Governor BELCHER, and for some Years a Member of his Majesty's Council for this Province.—We hear that his Funeral is to be at Boston this Day, to proceed from the House of his Brother-in-Law BYFIELD LYDE, Esq; at half past 3 o'Clock.

DIED, Mrs. *Tyler*, Relict of the late *Thomas Tyler*, Esq;—Mrs. *Davies*, Wife of Capt. *William Davies*, in the London Trade; her Funeral will be attended next Wednesday Afternoon.

At Philadelphia, *Alexander Barclay*, Esq; Collector of that Port.

Haverhill, West Parish, Jan. 9. 1771.

This day the Rev. Mr. Phineas Adams was ordained our Pastor, having been unitedly chosen to that office, both by the church, and by all the parish that are not fixed Separates. The Rev. Mr. Hale of Newbury Newtown began with prayer; Rev. Mr. Joseph Adams of Stratham preached from Prov. xi. 30—*He that wins souls is wise*; Rev. Mr. Chandler of Rowley prayed and gave the Charge; Rev. Mr. Barnard of Haverhill gave the Right Hand of Fellowship, and Rev. Mr. True, concluded with prayer.

Brookfield, January 22, 1771.

ON the 17th Instant departed this Life, greatly lamented, the Rev. JOSEPH PARSONS, *Pastor of the first Church of Christ in this Town, in the thirty eighth Year of his Age and the fourteenth of his Ministry; and on this Day his Remains were decently interred. He was Son of the late Rev.* JOSEPH PARSONS *of* Bradford; *a Son truly worthy of such a Father. He was blest'd with a quick Apprehension, a sprightly Fancy, and a sound judgment. His Ideas were clear, his Reasoning strong, and his Wit remarkably poignant. With such Abilities it may be supposed he was a sensible and accurate Preacher, and a most entertaining Companion. As a Minister, he was eminently prudent, and constantly endeavoured to diffuse into the Hearts of his People the Purity and Charity of the Gospel. As a Christian, he was sincere, devout, and extensively benevolent. It pleased God to visit him with a painful Disorder of the Rheumatic Kind, which deprived him of the Use of his Limbs, and for upwards of three Years wholly prevented his public Ministrations. But amidst all his bodily Distresses and Infirmities his Patience was invincible, his Faith unshaken, his Prospects of future Happiness clear, and he submitted to Death with Serenity and Joy. He has left a sorrowful Widow and one Child.*

††† *The Length of* Philanthrop's *Piece, which came to Hand too late for a Place in the first Page, obliges us to omit a Number of Foreign and Domestic Articles of Intelligence, as also some Advertisements.*

William Bant,

Has received from *Colerain* in *Ireland*, an Assortment of low priz'd Linnens, which he will sell very Cheap (being a Consignment) at his Shop in Cornhill:

Where also may be had very Cheap for Cash,

Superfine scarlet, middling, crimson, blue and cloth colour'd Broad Cloths, German Serges, black Shalloons, Tammies, Baizes, black & blue sprig'd Mode, white and crimson figur'd Sattins, white, Cloth colour'd, blue, pink and crimson Pelon Sattins, English & India Taffeties, Silk Crape, strip'd and flowered Lutestring, Cloth and slate colour'd Ducape, wide & narrow Persian, Women's Velvet, black Cotton Velvet, Cloth colour'd and blue 4 threaded Breeches Patterns, black and Cloth colour'd low priz'd ditto, diaper and damask Table-Cloths, Men's and Women's worsted Hose, Men's Silk Hose, Men's black & white Silk Gloves, Book Muslin, plain white Silk Gauze, flowered Gauze, Lawns, Sheetings, Russia Linnen, Women's English Goloshoes, Lynn Shoes, Barcelona Handkerchiefs, Fustians, Bed Tick, Chip Hats, Qualities, Ribbons, Silk Ferrets, Tapes, &c &c.

Irish Linen Warehouse Kingstreet.

George Brimley

Informs his Customers and Others, That he has lately received directly from *Ireland*,

A very general and elegant assortment of LINENS, consisting of 3 4, 7 8 and yard wides, from Twelve Shillings to Three Pounds Ten Shillings per Yard, purchased by Mr. *Forrest* in *Ireland* with the ready Money, which he continues to sell at the usual low Rates.

For the Benefit of the Insurers.

On WEDNESDAY next.

At XI o'Clock,

Will be sold by Public Vendue,

At the Auction-Room in Queen-street,

17 Pieces *damaged* Knapp'd Bath Beaver.

At the same Time and Place will be Sold,

A great Variety of English Goods, *not damaged*, and one Trunk of Mens Wearing Apparel. J. RUSSELL, *Auctioneer.*

On TUESDAY the 5th of *February*,

At ELEVEN o'Clock,

Will be sold by PUBLIC VENDUE,

At the Bunch of Grapes Tavern in King street,

A few Hogsheads of good SHOP SUGARS.

On FRIDAY the 15th of *February*,

At TEN o'Clock in the Morning,

Will be Sold by PUBLIC VENDUE,

At the Auction Room in Queen-street,

A great Variety of Books, chiefly printed here, among which are,

50 dozen of Tate and Brady's Psalms with Tunes & without, 5 dozen Watt's Hymns and Psalms, 90 dozen Psalters and Primers, 70 dozen of small Histories, 72 dozen Proof Catechisms, 20 Groce of Verses---and a Number of well bound Books in History and Divinity, Sermons, &c.

J. RUSSELL, *Auctioneer.*

TO BE SOLD Cheap for Cash,

A Quantity of choice RUM, six Months old, prepar'd for the Guinea Market, mostly in Iron bound Hogsheads.—Enquire of THOMAS RUSSELL, at Warehouse No. 13, South Side the Town Dock.

To be Sold at PUBLIC VENDUE,

at the House of Capt. William Davenport, *Innholder at* Newbury-Port, *the 27th* February *next,*

Seventy five Acres or more of choice Land in *North Yarmouth*, formerly called *Boardman's* Farm, within about two Miles of the Meeting House. The Conditions of Sale to be seen at the Place of Sale.

James & Patrick M'Masters & Co.

Have removed from their Store on Treat's *Wharf, to a Shop opposite the South Side of the Town-House, adjoining to Mr.* Nicholas Bowes.—

Who have to sell the following Articles, viz.

Low-pric'd Broad-Cloth, Half-Thicks, Serges, Kerseys & Shalloons, Carpets of several Sizes, Irish Linnens, Check Handkerchiefs, and a large Assortment of flower'd Lawns from 11*s.* to 45*s.* per Yard, old Tenor, flower'd & sprig'd Aprons, China Taffities; and many other Articles too tedious to mention.—*The above Goods will be sold by Wholesale or Retail low for the Cash—or short Credit.*

Custom-House, Boston, Jan. 26. 1771.

ENTERED-IN.

Thatcher from Halifax; Snow from Virginia; Fletcher from Fyal; Wormstead from St. Lucia; Rupell from Bilboa and Falmouth; Bass from Jamaica and Cape-Nichola.

OUTWARD-BOUND,

Davis for West-Indies; Harrison for Glasgow; Sheppard for No. Carolina; Blodget & Volentine for Surranam; Deane for Newfoundland; Laha and Thatcher for Halifax.

& And they are not at present, as Mr Wilkes is excluded, and Col.° Luttrel placed in his Room. vid pa- 535—538—550. Vol. 2. ‖ vid. pa. 255—263 — vid Sea Acts pa. 735. Vol. 1.

IRISH LINENS,
Bought with the Caſh
In IRELAND,
And to be Sold at a very low Price at
Jonathan & John Amory's
Store in King-Street.

A Quantity of choice
Cinnamon, Mace, Cloves & Nutmegs,
To be Sold by
Oliver Smith,
At his SHOP a little to the Southward of the Town-Houſe, in Cornhill, *Boſton*,
ALSO,
A compleat Aſſortment of
DRUGS & MEDICINES,
Imported in the laſt Ships from LONDON, and warranted genuine.
☞ Pepper by the Bag, Hundred or Dozen.

Sterling Madeira WINES,
By the Pipe or Quarter Caſk,
To be Sold, very Cheap, by
Joſeph Barrell,
Store No. 3, South Side the Town Dock.
ALSO,
Brown Sugars by the Hogſhead or Barrel,
Coffee, Cocoa, and Chocolate,
New Flour, Raiſins, Allſpice, Ginger, Rice, Ship Bread,
Beſt French Indigo,
Logwood, Redwood, Brimſtone, Copperaſs, Allum,
Starch, Crown Soap, Snuff,
Sweet Oil, by the Caſk, Jarr, or Gallon,
Very beſt Durham Muſtard, by the Box, or Dozen,
Wool Cards, and Cotton Wool,
An Aſſortment of Iron Ware,
A few Crates, cream color'd, Glaſs and Stone Ware, handſomly aſſorted for Retail,
And a few Boxes 15 Inch Pipes,
Choice old Spirit, French Brandy, Weſt India & New England Rum—and many other Articles.
——ALSO,——
A SLOOP of 60 Tons,—very cheap.—

Iriſh Linnens and Baizes,
Ticklenburg and Oznabrigs,
Ravens Duck, and Ruſſia Drab,
Wool and Cotton Cards,
Teſtaments, Snuff,
With a few Articles imported two Years ago,
To be Sold very cheap, by
Samuel Eliot
At his SHOP near the Head of Dock-Square, juſt above the Market.

All Perſons indebted to, or that have any Demands on, *the Eſtate of Mr.* FITCH POOL, late of *Boſton*, *Merchant*, deceaſed, are deſired to bring in their Accounts to TIMOTHY NEWELL, of ſaid Boſton, *Adminiſtrator* to ſaid Eſtate, in order for a ſpeedy Settlement.——Alſo,——
All Perſons who are indebted to, or that have any Demands on, *the late Company of* POOL *and* CLARKE, of *Boſton*, *Merchants*, deceaſed, are deſired to bring in their Accounts to ſaid TIMOTHY NEWELL, who is impowered to ſettle the ſame.

TO BE SOLD,
At low Rates for CASH,
At the Store of the late Meſſrs. Pool & Clarke, *on* Greene's *Wharf*,
A Quantity of COCOA,
A few Caſks Muſcovado Sugar and Jamaica Fiſh.
Alſo, a Schooner of about 24 Tons Burthen.

TO BE SOLD AT AUCTION,
On the 5th Day of *March* next, at *HALIFAX*,
A Tract of Land, containing
about 150 Acres, ſituate on the Weſt Side of the Harbour of *Canſo*, extremely well calculated for carrying on an extenſive Fiſhery, having Plenty of Wood, Flake Stuff and Bruſh growing on the Premiſes, and is accommodated with a good Watering Place, one Dwelling-Houſe, two good Storehouſes, two Fiſh Stages, a Salt houſe, Oil-houſe, and ſeveral Fiſhermens Huts; all in good Repair and fit for immediate Occupation.——A good warranted Deed will be given the Purchaſer.
Halifax, January 10. 1771.

Left for Sale
At the AUCTION ROOM in Queen-ſtreet,
A few Pieces black Calimancoes,
blue Shalloons, blue crimſon, and black Tammies, ſtript and plain Camblets, worſted Qualities, ſcarlet and other Broad Cloths, Duffil Blankets, ſix Pieces of Baize, a few Reams of Writing Paper, and a few Pieces of black and cloth colour'd Perſians.
J. RUSSELL, *Auctioneer*.

TEN DOLLARS REWARD,
WHEREAS on the Evening of the 19th Inſtant a Horſe & Chaiſe belonging to the Subſcriber, ſtanding at the King's Arms Tavern on *Boſton* Neck, was taken from thence and kept all Night, and the Horſe badly uſed, and on Sabbath Morning was left in the Common. I hereby promiſe a Reward of TEN DOLLARS to any one who will diſcover the real Perſon or Perſons that took ſaid Horſe and Chaiſe, that he or they may be brought to Juſtice.
January 21, 1771. JOHN HANCOCK.

TO BE LET,
A Diſtill-Houſe with every Con-
venience—Or a Partner wanted, that will do Out-door Buſineſs, & has a Stock. Enquire of the Printer.

Beſt SpermaCeti *Candles*,
Warranted Pure,
MADE & SOLD by JOHN LANGDON.
in *Fleet-Street*, above HANCOCK's *Wharf*, near the *Old North Meeting-Houſe*. He alſo ſells the beſt *Refin'd Sperma Ceti OIL*, by the Barrel. Beſt *Tallow CANDLES*, mould and dipp'd, and *Bay berry-Wax Candles*.—*ALL as low as they can be had at any Place in Town.*

Choice new CURRANTS
By the Hundred, Dozen, or ſingle Pound,
To be Sold by
Archibald Cunningham
At his SHOP in Fore-ſtreet, near the Draw Bridge,
Alſo No. 4 PINS and all other ſorts.
N. B. Nutmegs, Cinnamon, Mace & Cloves by the large or ſmall Quantity.

TO BE SOLD,
A few Barrels of very choice
Connecticut PORK,
Enquire of the Printers.

E. Bridgham,
At his STAFFORDSHIRE and LIVERPOOL Ware-Houſe,
(the Store lately improved by *Mr. Thomas Lee*)
in King-Street,
Has juſt received a large & elegant Aſſortment of
China, Glaſs & Earthen Ware.
Conſiſting of almoſt every Article of thoſe Manufactures, which he will ſell very low for Caſh only.

IRISH LINENS.
William Scott, removed from Dock-Square to Ann-Street, directly oppoſite to his former Store, and near the Flat-Conduit, has juſt received from IRELAND a large Aſſortment of LINENS, conſiſting of ſeveral Hundred Pieces of 3 4. 7 8 & yard-wide, of all Prices, which are to be ſold on reaſonable Terms
Alſo at ſaid Store are to be ſold, a Variety of plain and ſprig'd black, white & crimſon Sattins, Dacapes, Mantua Silks, Sarcenets, &c.——with ſundry other *Engliſh*, *Iriſh* and *Scotch* Goods 6w

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TO BE SOLD *upon good Security*,
Four valuable Lots in the Town-
ſhip called No. 2 or *Colerain*, in the County of *Hampſhire*, the one containing 130 Acres, the ſecond Lot containing 20 Acres, the other containing 18 Acres and 118 Rods, formerly belonging to *James Fair-ſervice*, deceas'd, but now to the Heirs of the Hon. *Benjamin Prat*, Eſq; deceas'd, good Land and finely ſituate for Mills; as alſo another Lot adjoining North River in ſaid Town, very advantageouſly ſituated, containing about 160 Acres.
Enquire of SAMUEL SWIFT.

Caſh given for
BEES-WAX,
Enquire at PETER HUGHES Store,
In King-ſtreet.

Choice Indian dreſs'd Deer Skins,
and Canada WHEAT, to be Sold by
JOHN COFFIN,
At his Diſtill-Houſe in Eſſex ſtreet, South End.

Caſh given for good
PEARL-ASH and BEES-WAX,
By *George Erving*,
At his Store in King-ſtreet, Boſton.

TO BE LET on reaſonable Terms,
A Houſe with good Accommo-
dations, ſituate in Queen-ſtreet, adjoining to *Samuel Quincy*, Eſq's.—Enquire of *Andrew Cazneau*, Eſq;

Beſt *Merry Andrew* Playing Cards,
by the Groſs, Dozen or ſingle Pack, to be ſold at the *Heart* & *Crown* in Cornhill.

Choice fine Maryland FLOUR,
Juſt imported, to be ſold Cheap by
HENRY LLOYD,
At Warehouſe No. 5, on the Long Wharf.
Alſo, Miſſiſippi Indian dreſs'd Deer Skins, Sperma-Ceti Candles, warranted pure, Sterling Madeira Wine, in Pipes and Quarter Caſks, a Variety of Anchors, Iron Stoves, a few Barrels of Newtown Pippins, &c. &c.

CHOICE
Narraganſet CHEESE,
To be ſold Cheap.
Enquire at the Commiſſary-General's Office,
oppoſite the Eaſt End of Faneuil-Hall.

Choice Bohea & Souſhong Tea,
warranted good, Engliſh Loaf Sugar, Pepper, Nutmegs Cloves and Cinnamon—the beſt Stratſboug Rappee Snuff in pound Canniſters, Kippen's Snuff, very fine Table Salt, a few Barrels of choice Soap, London Pins No. 4. Caſes of 12 Bottles, a new Aſſortment of cream color'd Ware, Two Quart Caſe Bottles by the Groce or ſmaller Quantity,—alſo Crockery Ware of all ſorts as uſual, to be ſold cheap for Caſh, by
BENJAMIN DAVIS,
At his Store the South Side of the Dock, near the Swing Bridge——Wholeſale or Retail.

Choice CURRANTS,
And a few excellent Chelhire CHEESE,
At WILLIAM TAYLOR's Store,
In King-Street.

TO BE SOLD,
At the SHOP formerly occupied by Capt. William Pattin, *deceaſed, in Cornhill*,
Choice OLIVES by the Jar.—
——Likewiſe,——
A very neat Aſſortment of Cream-coloured Ware—Glaſs, Delph, white and brown Stone, and divers other color'd Ware—fine Hyſon, Souſhong & Bohea Tea—very fine Sack Salt by the Buſhel or leſs, Sweet Oil, Capers, Citron, Cayan Pepper, Currants, choice Raiſins by the Jar, good Brown Sugar, by the Barrel or Hundred, Cotton Wool; and a Variety of other Grocery Articles, chiefly in ſmall Quantities.

All Perſons indebted to the Eſtate
of *Abel Lawrence*, Eſq; late of *Groton*, deceaſed, are required to make Payment to *Jonas Cutler*, Adminiſtrator on ſaid Eſtate; and all Perſons who have any Demands on ſaid Eſtate are deſired to bring in their Accounts to ſaid Adminiſtrator, in order for a ſpeedy Settlement. *Groton, Jan. 1ſt.*

TO BE LET,
A Houſe in Cambridge Street,
three Rooms on a Floor, with a Pump of good Water, & other Accommodations, either the whole or in two Tenements. Enquire of the Printers.

All Perſons indebted to, or that
have any Demands upon the Eſtate of the late *Joſeph Green*, Eſq; deceaſed, are hereby deſired to ſettle the ſame with *Joſhua Green* and *Ebenezer Storer*, Executors. *Boſton, Jan.* 7 1771.

£.200 Lawful Money is wanted
on hire, for which treble Security will be given in Land. For further Particulars enquire of the Printers.

Whereas the Great and General Court
at *Boſton*, in February 1763, did Grant or Order a Tax of *One Penny* per Acre ſhould be laid on all the Lands lying in *Greenwich*, belonging to Non-reſident Proprietors or Owners, for four Years ſucceſſively: And whereas the Temporary Act of the General Court for enforcing and carrying into Execution ſuch Orders expired after the Aſſeſſment and Collection of two Years, by Reaſon of which the Taxes & Charges of the two laſt Years were not compleated; and having obtained an Order of Court in their Seſſions at *Cambridge*, in April laſt, that the Aſſeſſments and Collections which were left incompleat & unfiniſhed, in manner as is before mentioned, ſhall be compleated & finiſhed according to the Original Intent of ſaid Order: WE the Subſcribers therefore, purſuant to ſaid Order of Court, having aſſeſſed ſaid Lands, and committed the ſame to the Collector, DO notify ſaid Non-reſident Proprietors or Owners of Land in *Greenwich*, who are thus delinquent, that unleſs they pay ſaid Aſſeſſments or Taxes to *William Fiſk*, Collector in *Greenwich*, their Lands or ſo much of them as will pay ſaid Taxes & Charges, will be ſold at Public Vendue, on the fourth Wedneſday in April next, at Ten o'Clock in the Morning, at the Dwelling-Houſe of Mr. *John Rea*, Innholder in *Greenwich*, and ſo from Day to Day, ſaid Vendue to be continued by Adjournment or Adjournments, till the whole be ſold that ſhall then remain unpaid.

Iſaac Powers,
James McCleur,
Abijah Powers,
} Aſſeſſors.
January 11, 1771.

BOSTON: Printed by T. and J. FLEET.